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1
       IN THE UNITED STATES DISTRICT COURT
2
        FOR THE NORTHERN DISTRICT OF OHIO
3
                EASTERN DIVISION
4
5
     IN RE: NATIONAL
                             : HON. DAN A.
6
     PRESCRIPTION OPIATE
                             :
                               POLSTER
     LITIGATION
7
     APPLIES TO ALL CASES
                             : NO.
8
                             : 1:17-MD-2804
9
            - HIGHLY CONFIDENTIAL -
10
    SUBJECT TO FURTHER CONFIDENTIALITY REVIEW
11
12
                  April 2, 2019
13
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15
                 Videotaped deposition of
    SERGIO TEJEDA taken pursuant to notice,
    was held at the offices of Locke Lord,
16
    LLP, 200 Vesey Street, New York, New
17
    York, beginning at 9:01 a.m., on the
    above date, before Michelle L. Gray, a
18
    Registered Professional Reporter,
    Certified Shorthand Reporter, Certified
19
    Realtime Reporter, and Notary Public.
20
21
           GOLKOW LITIGATION SERVICES
22
          877.370.3377 ph 917.591.5672
                 deps@golkow.com
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2.4
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APPEARANCES: OUTLEY RICE LLU GLIORI, ESQ. Bridgeside Blyd. Scientification 29464 Gray 10 10 10 10 10 10 10 10 10 10 10 10 10	Page 2	Page 4
Testimony of: Note of the content	1 APPEARANCES:	
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COKE LORD LLP 10 10 10 10 10 10 10 1	³ BY: DONALD A. MIGLIORI, ESQ.	
COCKE LORD LLP 10 10 10 10 10 10 10 1	⁴ 28 Bridgeside Blyd.	Testimony of:
COCKE LORD LLP 10 10 10 10 10 10 10 1	Mount Pleasant, South Carolina 29464 5 (843) 216-9000	5
COCKE LORD LLP 10 10 10 10 10 10 10 1	dmigliori@motleyrice.com	
COCKE LORD LLP 10 10 10 10 10 10 10 1	Representing the Plaintiffs	Dy MI. Mighori
14 BY: LILAMS & CONNOLLY LILP 15 BY: RAELYY ADAMS, ESQ. 16 CO) 134-5148 17 Captesenting the Defendant, Cardinal lealth and teath and tea	⁸ LOCKELORD, LLP	
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14 BY: LILAMS & CONNOLLY LILP 15 BY: RAELYY ADAMS, ESQ. 16 CO) 134-5148 17 Captesenting the Defendant, Cardinal lealth and teath and tea	Suite 2800	
14 BY: LILAMS & CONNOLLY LILP 15 BY: RAELYY ADAMS, ESQ. 16 CO) 134-5148 17 Captesenting the Defendant, Cardinal lealth and teath and tea	(214) 740,8758 11 ipmcdonald@lockelord.com	
14 BY: LILAMS & CONNOLLY LILP 15 BY: RAELYY ADAMS, ESQ. 16 CO) 134-5148 17 Captesenting the Defendant, Cardinal lealth and teath and tea	Representing Henry Schein, Inc. and the	
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Page 3 APPEARANCES: (Cont'd.) APPEARANCES: (Cont'd.) MARCUS & SHAPIRA, LLP BY: JOSHUA A. KOBRIN, ESQ. One Oxford Centre, 35th Floor Pittsburgh, Pennsylvania 15219 (412) 38-3990 kobrin@marcus-shapira.com Representing the Defendant, HBC Service Company TELEPHONIC/STREAMING APPEARANCES: JACKSON KELLY, PLLC BY: SYLVIA WINSTON NICHOLS, ESQ. 150 Clay Street, Suite 500 Morgantown, WV 26501 2 (304) 284-4138 Svlvia.winston@jacksonkelly.com Representing the Defendant, AmerisourceBergen ALSO PRESENT: Marjorie Han, Esq. (Henry Schein, Inc.) Page 3 E X H I B I T S (Cont'd.) HON. DESCRIPTION PAGE Henry Schein Tejeda-5 Due Diligence 116 Documents Schein Summit County Customers Opioid Orders 2001-2008 HSI-MDL-00648726 Henry Schein Tejeda-6 Customer Service 125 Imaging I. Adolph HSI-MDL-0000983-84 Henry Schein Tejeda-7 Due Diligence 142 Documents Schein Summit County Customers Prizeda-7 Due Diligence 142 Documents Schein Summit County Customer Service 125 Henry Schein Tejeda-7 Due Diligence 142 Documents Schein Summit County Customer Service 149 Henry Schein Tejeda-8 Customer Service 149 Henry Schein Tejeda-9 Customer Service 149 H	Health	Tejeda-2 Resumé of Sergio 31
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14 15 16 VIDEOTAPE TECHNICIAN: David Lane 17 Tejeda-7 Due Diligence 142 Documents Schein Summit County Customers Opioid Post January 2009 HSI-MDL-00648726 19 Marjorie Han, Esq. (Henry Schein, Inc.) 20 Henry Schein Tejeda-8 Customer Service 149 Imaging Heim, Brian HSI-MDL-00001198-210	 11 150 Clay Street, Suite 500 Morgantown, WV 26501 12 (304) 284-4138 	HSI-MDL-00648/26 Henry Schein 14 Tejeda-6 Customer Service 125
Henry Schein Tejeda-7 Due Diligence 142 Documents Schein Summit County Customers Opioid Post January 2009 HSI-MDL-00648726 Henry Schein Tejeda-8 Customer Service 149 Imaging Henry Schein 17 Tejeda-8 Customer Service 149 Imaging Heim, Brian HSI-MDL-00001198-210	 11 150 Clay Street, Suite 500 Morgantown, WV 26501 12 (304) 284-4138 Svlvia.winston@jacksonkelly.com 	HSI-MDL-00648/26 Henry Schein 14 Tejeda-6 Customer Service 125
VIDEOTAPE TECHNICIAN: David Lane Documents Schein Summit County Customers Opioid Post January 2009 HSI-MDL-00648726 Henry Schein Henry Schein Tejeda-/ Due Diligence H42 Documents Schein Summit County Customers Opioid Post January 2009 Henry Schein Tejeda-8 Customer Service Henry Schein HSI-MDL-00001198-210	 11 150 Clay Street, Suite 500 Morgantown, WV 26501 12 (304) 284-4138 Svlvia.winston@jacksonkelly.com 13 Representing the Defendant, AmerisourceBergen 	HSI-MDL-00648/26 Henry Schein Tejeda-6 Customer Service 125 Imaging Harper, Jr., Adolph HSI-MDL-0000983-84
David Lane 18 Schein Summit County Customers Opioid Post January 2009 HSI-MDL-00648726 Henry Schein 19 Henry Schein 20 Henry Schein 21 Tejeda-8 Customer Service 149 Imaging 22 Heim, Brian HSI-MDL-00001198-210	 11 150 Clay Street, Suite 500 Morgantown, WV 26501 12 (304) 284-4138 Svlvia.winston@jacksonkelly.com 13 Representing the Defendant, AmerisourceBergen 	HSI-MDL-00648/26 Henry Schein Henry Schein Limaging Harper, Jr., Adolph HSI-MDL-00000983-84 Henry Schein
ALSO PRESENT: Marjorie Han, Esq. (Henry Schein, Inc.) Marjorie Han, Esq. (Henry Schein, Inc.) Marjorie Han, Esq. (Henry Schein, Inc.) Henry Schein Tejeda-8 Customer Service 149 Imaging Heim, Brian HSI-MDL-00001198-210	 11 150 Clay Street, Suite 500 Morgantown, WV 26501 12 (304) 284-4138 Svlvia.winston@jacksonkelly.com 13 Representing the Defendant, AmerisourceBergen 14 15 16 VIDEOTAPE TECHNICIAN: 	HSI-MDL-00648/26 Henry Schein Tejeda-6 Customer Service 125 Imaging Harper Jr., Adolph HSI-MDL-0000983-84 Henry Schein Tejeda-7 Due Diligence 142 Documents
Marjorie Han, Esq. (Henry Schein, Inc.) Henry Schein Tejeda-8 Customer Service 149 Imaging Heim, Brian HSI-MDL-00001198-210	 11 150 Clay Street, Suite 500 Morgantown, WV 26501 12 (304) 284-4138 Svlvia.winston@jacksonkelly.com 13 Representing the Defendant, AmerisourceBergen 14 15 16 VIDEOTAPE TECHNICIAN: David Lane 17 	HSI-MDL-00648/26 Henry Schein Tejeda-6 Customer Service 125 Imaging Harper Jr., Adolph HSI-MDL-0000983-84 Henry Schein Tejeda-7 Due Diligence 142 Documents Schein Summit County
20 (Henry Schein, Inc.) 21 Tejeda-8 Customer Service 149 Imaging 22 Heim, Brian HSI-MDL-00001198-210	 11 150 Clay Street, Suite 500 Morgantown, WV 26501 12 (304) 284-4138 Svlvia.winston@jacksonkelly.com 13 Representing the Defendant, AmerisourceBergen 14 15 16 VIDEOTAPE TECHNICIAN: David Lane 17 18 	HSI-MDL-00648/26 Henry Schein Henry Schein Limaging Harper, Jr., Adolph HSI-MDL-00000983-84 Henry Schein Henry Schein Tejeda-7 Due Diligence 142 Documents Schein Summit County Customers Opioid Post January 2009
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23 HSI-MDL-00001198-210	 11 150 Clay Street, Suite 500 Morgantown, WV 26501 12 (304) 284-4138 Svlvia.winston@jacksonkelly.com 13 Representing the Defendant, AmerisourceBergen 14 15 16 VIDEOTAPE TECHNICIAN: David Lane 17 18 ALSO PRESENT: 19 Marjorie Han, Esq. 	HSI-MDL-00648726 Henry Schein Tejeda-6 Customer Service 125 Imaging Harper Jr., Adolph HSI-MDL-0000983-84 Henry Schein Tejeda-7 Due Diligence 142 Documents Schein Summit County Customers Opioid Post January 2009 HSI-MDL-00648726 Henry Schein
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24	11 150 Clay Street, Suite 500 Morgantown, WV 26501 12 (304) 284-4138 Svlvia.winston@jacksonkelly.com 13 Representing the Defendant, AmerisourceBergen 14 15 16 VIDEOTAPE TECHNICIAN: David Lane 17 18 ALSO PRESENT: 19 Marjorie Han, Esq. (Henry Schein, Inc.)	HSI-MDL-00648726 Henry Schein Tejeda-6 Customer Service 125 Imaging Harper, Jr., Adolph HSI-MDL-00000983-84 Henry Schein Tejeda-7 Due Diligence 142 Documents Schein Summit County Customers Opioid Post January 2009 HSI-MDL-00648726 Henry Schein Henry Schein Tejeda-8 Customer Service 149 Imaging Heim, Brian HSI-MDL-00001198-210

	Dage 9
Page 6	Page 8
EXHIBITS (Cont'd.)	EXHIBITS (Cont'd.)
5 NO. DESCRIPTION PAGE 6 Henry Schein	⁴ ⁵ NO. DESCRIPTION PAGE
Tejeda-9 Letter, 11/9/12 158 To Droz from	6 Henry Schein Tejeda-20 E-mail Thread 300
Tejeda 8 HSI-MDL-00397293-94 9 Henry Schein	Subject, December
10 E-mail Thread 180 7/11/12	8 Audit Basis HSI-MDL-00622264-67
Subject, Brian Heim HSI-MDL-00648727 Henry Schein	Henry Schein Tejeda-21 Projects - Tejeda 315
Tejeda-11 DEA/Prof Licence 186 Maintenance HSI-MDL-00648813	Slide
14 Hanny Sahain	Henry Schein ¹² Tejeda-22 21 CFR 1301.74(b) 321
15 Tejeda-12 Cegedim Dendrite 207 New Account Issues Involving Controlled	Henry Schein Tejeda-23 US DEA Letter 335
15 Tejeda-12 Cegedim Dendrite 207 New Account Issues Involving Controlled Substances 17 HSI-MDL-00231217-18	12/27/07 HSI-MDL-00404079-80
Henry Schein Tejeda-13 E-mail, 8/6/13 223 Subject, Need 3 Embers	15 16 17
Embers 20 HSI-MDL-00552881-83 21 Henry Schein	18 19
Tejeda-14 Individual 228 Opportunity/Issue	20 21
Presented by Tina Steffanie-Oak (No Bates)	22 23 24
24	
Page 7	Page 9
	Page 9 1
Page 7 LEXHIBITS (Cont'd.) NO. DESCRIPTION PAGE	Page 9
Page 7 EXHIBITS (Cont'd.) NO. DESCRIPTION PAGE Henry Schein Tejeda-15 Cegedim Draft Schein SOM Procedural	Page 9 1
Page 7 EXHIBITS (Cont'd.) NO. DESCRIPTION PAGE Henry Schein Tejeda-15 Cegedim Draft Schein SOM Procedural Review 21 CFR 1301.74(b) HSI-MDL-00404369-73	Page 9 1
Page 7 EXHIBITS (Cont'd.) NO. DESCRIPTION PAGE Henry Schein Tejeda-15 Cegedim Draft Schein SOM Procedural Review 21 CFR 1301.74(b) HSI-MDL-00404369-73 Henry Schein	Page 9 1
Page 7 EXHIBITS (Cont'd.) NO. DESCRIPTION PAGE Henry Schein Tejeda-15 Cegedim Draft 230 Schein SOM Procedural Review 21 CFR 1301.74(b) HSI-MDL-00404369-73 Henry Schein Tejeda-16 E-mail, 3/5/11 242 Subject, Draft DEA Presentation	Page 9 1
Page 7 E X H I B I T S (Cont'd.) NO. DESCRIPTION PAGE Henry Schein Tejeda-15 Cegedim Draft 230 Schein SOM Procedural Review 21 CFR 1301.74(b) HSI-MDL-00404369-73 Henry Schein Tejeda-16 E-mail, 3/5/11 242 Subject, Draft DEA Presentation HSI-MDL-00007351-52 Henry Schein	Page 9 1
Page 7 E X H I B I T S (Cont'd.) NO. DESCRIPTION PAGE Henry Schein Tejeda-15 Cegedim Draft 230 Schein SOM Procedural Review 21 CFR 1301.74(b) HSI-MDL-00404369-73 Henry Schein Tejeda-16 E-mail, 3/5/11 242 Subject, Draft DEA Presentation HSI-MDL-00007351-52 Henry Schein Henry Schein Tejeda-17 Due-Diligence 250	Page 9 1
Page 7 E X H I B I T S (Cont'd.) NO. DESCRIPTION PAGE Henry Schein Tejeda-15 Cegedim Draft 230 Schein SOM Procedural Review 21 CFR 1301.74(b) HSI-MDL-00404369-73 Henry Schein Tejeda-16 E-mail, 3/5/11 242 Subject, Draft DEA Presentation HSI-MDL-00007351-52 Henry Schein Tejeda-17 Due-Diligence 250 Documents Schein Summit County Customers Canceled Orders	Page 9 1
Page 7 E X H I B I T S (Cont'd.) NO. DESCRIPTION PAGE Henry Schein Tejeda-15 Cegedim Draft 230 Schein SOM Procedural Review 21 CFR 1301.74(b) HSI-MDL-00404369-73 Henry Schein Tejeda-16 E-mail, 3/5/11 242 Subject, Draft DEA Presentation HSI-MDL-00007351-52 Henry Schein Tejeda-17 Due-Diligence 250 Documents Schein Summit County Customers Canceled Orders HSI-MDL-00648726 Henry Schein Henry Schein	Page 9 1
Page 7 E X H I B I T S (Cont'd.) NO. DESCRIPTION PAGE Henry Schein Tejeda-15 Cegedim Draft 230 Schein SOM Procedural Review 21 CFR 1301.74(b) HSI-MDL-00404369-73 Henry Schein Tejeda-16 E-mail, 3/5/11 242 Subject, Draft DEA Presentation HSI-MDL-00007351-52 Henry Schein Tejeda-17 Due-Diligence 250 Documents Schein Summit County Customers Canceled Orders HSI-MDL-00648726 Henry Schein Henry Schein Tejeda-18 E-mail Thread 261	Page 9 1
Page 7 E X H I B I T S (Cont'd.) NO. DESCRIPTION PAGE Henry Schein Tejeda-15 Cegedim Draft 230 Schein SOM Procedural Review 21 CFR 1301.74(b) HSI-MDL-00404369-73 Henry Schein Tejeda-16 E-mail, 3/5/11 242 Subject, Draft DEA Presentation HSI-MDL-00007351-52 Henry Schein Tejeda-17 Due-Diligence 250 Documents Schein Summit County Customers Canceled Orders HSI-MDL-00648726 Henry Schein Tejeda-18 E-mail Thread 261 2/6/08 Subject, HDMA Meeting	Page 9 DEPOSITION SUPPORT INDEX Direction to Witness Not to Answer PAGE LINE None. Request for Production of Documents PAGE LINE None. Stipulations PAGE LINE None. Questions Marked PAGE LINE None. Augustions Marked PAGE LINE None. None.
Page 7 EXHIBITS (Cont'd.) Tejeda-15 Cegedim Draft 230	Page 9 DEPOSITION SUPPORT INDEX DEPOSITION SUPPORT INDEX DIrection to Witness Not to Answer PAGE LINE None. Request for Production of Documents PAGE LINE None. Stipulations PAGE LINE None. Augustions Marked PAGE LINE None. Augustions Marked PAGE LINE None. None. Page 9 DEPOSITION SUPPORT INDEX Augustion to Witness Not to Answer PAGE LINE None.
Page 7 E X H I B I T S (Cont'd.) NO. DESCRIPTION PAGE Henry Schein Tejeda-15 Cegedim Draft 230 Schein SOM Procedural Review 21 CFR 1301.74(b) HSI-MDL-00404369-73 Henry Schein Tejeda-16 E-mail, 3/5/11 242 Subject, Draft DEA Presentation HSI-MDL-00007351-52 Henry Schein Tejeda-17 Due-Diligence 250 Documents Schein Summit County Customers Canceled Orders HSI-MDL-00648726 Henry Schein Tejeda-18 E-mail Thread 261 2/6/08 Subject, HDMA Meeting	Page 9 1

	Post 10	T -	D 12
1	Page 10	1	Page 12
2			question to be complete before you
	THE VIDEOGRAPHER: We're now		answer. Also, to give a little bit of
3	on the record. My name is David	1	time so that your counsel can make an
4	Lane, videographer for Golkow	5	objection, if necessary.
5	Litigation Services.		I'll ask that also your
6	Today's date is April 2nd,	1	answers be verbal; that is, gestures, or
7	2019. Our time is 9:01 a.m.		sounds are hard to type, so if you can
8	This deposition is taking	1	say "yes" or "no" as appropriate, I'd
9	place in New York, New York, in		appreciate it. And if you have any
10	the matter of National		questions or want to take a break, just
11	Prescription Opiate Litigation.		let me know and we'll do so.
12	Our deponent today is Sergio	12	Do you have any questions
13	Tejeda.		before we get started?
14	Counsel will be noted on the	14	A. No.
15	stenographic record.	15	Q. Okay. If you answer my
16	Our court reporter today is		question, I'm going to assume that you've
17	Michelle Gray and will now swear		understood it. Is that understandable?
18	in our witness.	18 19	A. Yes, it is.
20			Q. Okay. Could you tell the
21	SERGIO TEJEDA, having	21	jury your name and your address?
22	been first duly sworn, was		A. My name is Sergio Tejeda.
23	examined and testified as follows:		My address is 93 Edgewood Road, Port
24	THE VIDEOCD A DHED. DI	24	Washington, New York 11050.
	THE VIDEOGRAPHER: Please	21	Q. I'm going to ask you to keep
	Page 11		Page 13
1	begin.		your voice up too. We're both
2		1	struggling. Just so the court reporter
3	EXAMINATION		can hear you. Okay?
4		4	A. Okay.
5	BY MR. MIGLIORI:	5	Q. What's your current position
6	Q. Good morning.	1	and employer?
7	A. Good morning.	7	A. I'm the director of
8	Q. My name is Don Migliori. I	1	regulatory affairs for Henry Schein
	represent some of the plaintiffs in this		Incorporated.
	litigation, and I'll be asking you some	10	Q. And how long have you held
	questions this morning.		that position?
12	My voice is a little weak	12	A. About four years with the
	today. If you can't understand my	1	same title.
	question or can't hear it, I'll ask you	14	Q. Going back to 2015?
	to let me know. Okay?	15	A. Yes.
16	A. Okay.	16	Q. And what was the title
17	Q. Have you ever had your	1	before that?
19	deposition taken before?	18	A. Director of regulatory for
123	A. No.	19 20	North America.
20		40	Q. How long did you hold that
20	Q. So I'll be asking you some	21	44109
21	questions. The court reporter will be		title?
21 22	questions. The court reporter will be taking down your answers.	22	A. About three years.
21	questions. The court reporter will be		

	Page 14		Page 16
	Page 14	1	- 1
1	Q. Okay. What, if anything,	1	A. They were provided by
	was a change in your responsibilities		counsel.
	between those two positions?	3	Q. Did you meet again with
4	A. I am focused on domestic	4	counsel in preparation for today?
5	compliance at this point.	5	A. Yes.
6	Q. Okay. We're going to get	6	Q. How many more times?
7	into some of the specifics of all of	7	A. Three.
8	that. Before we get started with that,	8	Q. And were those meetings also
9	when did you first learn about this	9	here or were they in other places?
10	deposition?	10	A. In Melville once, we had
11	A. When did I first learn?	11	teleconference once, and here once.
12	Sometime last year.	12	Q. When was the meeting in
13	Q. And did you meet with	13	Melville?
14	counsel in preparation for this	14	A. So I don't remember the
	deposition?	15	exact date, sorry.
16	A. Yes.	16	Q. Was it the second meeting
17	Q. Do you recall the first time	17	you had?
18	that you met with counsel?	18	A. It was the second meeting,
19	A. I think it was late	19	yes.
20	February.	20	Q. Do you know how long that
21	Q. February?	21	meeting last lasted?
22	A. Late February.	22	A. About six, seven hours.
23	Q. And who did you meet with?	23	Q. Did you review documents at
24	A. I met with the local team		that meeting?
	71. I met with the local team		that meeting:
_			
	Page 15		Page 17
1	and our inhouse attorneys.	1	A. Yes.
1 2	_	2	A. Yes.Q. Were they documents that you
2	and our inhouse attorneys.	2	A. Yes. Q. Were they documents that you had in Melville? That is, were they
3	and our inhouse attorneys. Q. Did you meet in Melville, or	2 3 4	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring
3	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet	2 3 4	A. Yes. Q. Were they documents that you had in Melville? That is, were they
3 4	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office?	2 3 4	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring
2 3 4 5	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office? A. First meeting was here. Q. Do you recall how long you	2 3 4 5	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring those documents with you to the meeting?
2 3 4 5 6	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office? A. First meeting was here. Q. Do you recall how long you	2 3 4 5 6 7	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring those documents with you to the meeting? A. I brought some documents.
2 3 4 5 6 7	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office? A. First meeting was here. Q. Do you recall how long you met?	2 3 4 5 6 7	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring those documents with you to the meeting? A. I brought some documents. Q. And do you recall what kinds
2 3 4 5 6 7 8	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office? A. First meeting was here. Q. Do you recall how long you met? A. Maybe four hours.	2 3 4 5 6 7	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring those documents with you to the meeting? A. I brought some documents. Q. And do you recall what kinds of documents you brought with you,
2 3 4 5 6 7 8	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office? A. First meeting was here. Q. Do you recall how long you met? A. Maybe four hours. Q. Did you review documents at	2 3 4 5 6 7 8 9	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring those documents with you to the meeting? A. I brought some documents. Q. And do you recall what kinds of documents you brought with you, yourself, to the meeting?
2 3 4 5 6 7 8 9	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office? A. First meeting was here. Q. Do you recall how long you met? A. Maybe four hours. Q. Did you review documents at that time?	2 3 4 5 6 7 8 9	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring those documents with you to the meeting? A. I brought some documents. Q. And do you recall what kinds of documents you brought with you, yourself, to the meeting? A. Material that we had
2 3 4 5 6 7 8 9 10	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office? A. First meeting was here. Q. Do you recall how long you met? A. Maybe four hours. Q. Did you review documents at that time? A. Yeah, we reviewed some	2 3 4 5 6 7 8 9 10 11	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring those documents with you to the meeting? A. I brought some documents. Q. And do you recall what kinds of documents you brought with you, yourself, to the meeting? A. Material that we had reviewed the first meeting.
2 3 4 4 5 6 6 7 8 9 10 11 12 13	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office? A. First meeting was here. Q. Do you recall how long you met? A. Maybe four hours. Q. Did you review documents at that time? A. Yeah, we reviewed some documents.	2 3 4 5 6 7 8 9 10 11 12 13	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring those documents with you to the meeting? A. I brought some documents. Q. And do you recall what kinds of documents you brought with you, yourself, to the meeting? A. Material that we had reviewed the first meeting. Q. Okay. Anything that you got
2 3 4 4 5 6 6 7 8 9 10 11 12 13	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office? A. First meeting was here. Q. Do you recall how long you met? A. Maybe four hours. Q. Did you review documents at that time? A. Yeah, we reviewed some documents. Q. Did you review any testimony	2 3 4 5 6 7 8 9 10 11 12 13	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring those documents with you to the meeting? A. I brought some documents. Q. And do you recall what kinds of documents you brought with you, yourself, to the meeting? A. Material that we had reviewed the first meeting. Q. Okay. Anything that you got out of your own files that had not been
2 3 4 5 6 7 8 9 10 11 12 13 14	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office? A. First meeting was here. Q. Do you recall how long you met? A. Maybe four hours. Q. Did you review documents at that time? A. Yeah, we reviewed some documents. Q. Did you review any testimony of other witnesses in this case?	2 3 4 5 6 7 8 9 10 11 12 13	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring those documents with you to the meeting? A. I brought some documents. Q. And do you recall what kinds of documents you brought with you, yourself, to the meeting? A. Material that we had reviewed the first meeting. Q. Okay. Anything that you got out of your own files that had not been provided to you by counsel? A. No.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office? A. First meeting was here. Q. Do you recall how long you met? A. Maybe four hours. Q. Did you review documents at that time? A. Yeah, we reviewed some documents. Q. Did you review any testimony of other witnesses in this case? A. No. Q. Have you ever reviewed any	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring those documents with you to the meeting? A. I brought some documents. Q. And do you recall what kinds of documents you brought with you, yourself, to the meeting? A. Material that we had reviewed the first meeting. Q. Okay. Anything that you got out of your own files that had not been provided to you by counsel? A. No. Q. Were you asked to gather any
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office? A. First meeting was here. Q. Do you recall how long you met? A. Maybe four hours. Q. Did you review documents at that time? A. Yeah, we reviewed some documents. Q. Did you review any testimony of other witnesses in this case? A. No. Q. Have you ever reviewed any	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring those documents with you to the meeting? A. I brought some documents. Q. And do you recall what kinds of documents you brought with you, yourself, to the meeting? A. Material that we had reviewed the first meeting. Q. Okay. Anything that you got out of your own files that had not been provided to you by counsel? A. No. Q. Were you asked to gather any documents that weren't part of what the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office? A. First meeting was here. Q. Do you recall how long you met? A. Maybe four hours. Q. Did you review documents at that time? A. Yeah, we reviewed some documents. Q. Did you review any testimony of other witnesses in this case? A. No. Q. Have you ever reviewed any testimony of other witnesses in this	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring those documents with you to the meeting? A. I brought some documents. Q. And do you recall what kinds of documents you brought with you, yourself, to the meeting? A. Material that we had reviewed the first meeting. Q. Okay. Anything that you got out of your own files that had not been provided to you by counsel? A. No. Q. Were you asked to gather any
2 3 4 5 6 7 8 8 9 10 11 12 13 14 15 16 17 18	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office? A. First meeting was here. Q. Do you recall how long you met? A. Maybe four hours. Q. Did you review documents at that time? A. Yeah, we reviewed some documents. Q. Did you review any testimony of other witnesses in this case? A. No. Q. Have you ever reviewed any testimony of other witnesses in this case? A. No. A. No.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring those documents with you to the meeting? A. I brought some documents. Q. And do you recall what kinds of documents you brought with you, yourself, to the meeting? A. Material that we had reviewed the first meeting. Q. Okay. Anything that you got out of your own files that had not been provided to you by counsel? A. No. Q. Were you asked to gather any documents that weren't part of what the counsel showed you? A. No.
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2 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	and our inhouse attorneys. Q. Did you meet in Melville, or did you meet at the or did you meet here in the office? A. First meeting was here. Q. Do you recall how long you met? A. Maybe four hours. Q. Did you review documents at that time? A. Yeah, we reviewed some documents. Q. Did you review any testimony of other witnesses in this case? A. No. Q. Have you ever reviewed any testimony of other witnesses in this case? A. No. Q. The documents that you reviewed in that first meeting, were they	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes. Q. Were they documents that you had in Melville? That is, were they kept were you the did you bring those documents with you to the meeting? A. I brought some documents. Q. And do you recall what kinds of documents you brought with you, yourself, to the meeting? A. Material that we had reviewed the first meeting. Q. Okay. Anything that you got out of your own files that had not been provided to you by counsel? A. No. Q. Were you asked to gather any documents that weren't part of what the counsel showed you? A. No. Q. Did you prepare at any point were you asked to set aside

	Page 18		Page 20
1	A. Do you mean prior to the	1	71. 110.
² pre	eparation?	2	Q. Did you help produce any
3	Q. Yeah.	3	reports relevant to canceled orders?
4	A. Yes.	4	A. My team did.
5	Q. And did you provide all	5	Q. What is a canceled order?
6 tho	ose documents that you had in your	6	A. Canceled order is an order
⁷ cor	ntrol?	7	that has been placed and either the
8	A. Yeah.	8	customer or Henry Schein, somebody at
9	Q. Relative to this case?		Henry Schein has canceled.
10	A. Yes.	10	Q. Okay. When it's canceled by
11	Q. And since that initial	11	Henry Schein, what are their bases to
12 pro	oduction, did you go back and get any	1	cancel an order?
1	ore documents or look for more	13	A. Many different types of
1	cuments?	14	reasons.
15	A. I don't think so.	15	Q. Is there a canceled order
16	Q. Did you review any		for an order that's considered
	nsactional records of controlled	1	suspicious?
	ostances for your testimony in this	18	A. So an order can be deemed
19 cas			
20 Cas			suspicious and can be canceled by the customer.
	A. Not for my testimony.	21	
1	r as a matter of my the nature of		Q. Okay. My question is a
_	work, I do.	1	little more particular to these reports
23	Q. Okay. And I'm not talking	1	that you gathered. Did you prepare a
24 abo	out generally in the course of your own	24	canceled order report with the
	Page 19		Page 21
¹ bus	siness. I'm asking relative to the	1	verifications team?
² issu	ues in this case, relative to Ohio or	2	A. No.
3 Sui	mmit County, Ohio. Did you review any	3	Q. Any other reports that you
⁴ trai	nsactional records in preparation for	4	or your team prepared for this
⁵ you	ur testimony?	5	litigation, to your knowledge?
6	A. Not transactional records.	6	A. Training. We produced SOPs.
⁷ We	e produced some reports.	7	Q. What kind of training
8	Q. Were you helpful in	8	1 4 1 1 4 0
9 pro		-	documents did you gather?
	oducing those reports?	9	A. Training materials, some
10		1	, e
	oducing those reports?	9	A. Training materials, some
11 bet	oducing those reports? A. It was a collab an effort	9 10 11	A. Training materials, some training records.
11 bet	oducing those reports? A. It was a collab an effort tween my team and the verifications	9 10 11 12	A. Training materials, some training records.Q. And describe the training records in particular. Are they the
11 bet 12 dep	A. It was a collab an effort tween my team and the verifications partment.	9 10 11 12 13	A. Training materials, some training records. Q. And describe the training records in particular. Are they the actual manuals for training, are they
11 bet 12 der	A. It was a collab an effort tween my team and the verifications partment. MR. McDONALD: He said collaborative effort.	9 10 11 12 13 14	A. Training materials, some training records. Q. And describe the training records in particular. Are they the actual manuals for training, are they scores or grades for success in training?
11 bet 12 der 13 14 15	A. It was a collab an effort tween my team and the verifications partment. MR. McDONALD: He said	9 10 11 12 13 14 15	A. Training materials, some training records. Q. And describe the training records in particular. Are they the actual manuals for training, are they scores or grades for success in training? What kind of records did you pull
11 bet 12 der 13 14 15	A. It was a collab an effort tween my team and the verifications partment. MR. McDONALD: He said collaborative effort. THE WITNESS: Sorry.	9 10 11 12 13 14 15	A. Training materials, some training records. Q. And describe the training records in particular. Are they the actual manuals for training, are they scores or grades for success in training? What kind of records did you pull together?
11 bet 12 der 13 14 15 16 BY	A. It was a collab an effort tween my team and the verifications partment. MR. McDONALD: He said collaborative effort. THE WITNESS: Sorry. MR. MIGLIORI: Q. Which reports did your team	9 10 11 12 13 14 15 16	A. Training materials, some training records. Q. And describe the training records in particular. Are they the actual manuals for training, are they scores or grades for success in training? What kind of records did you pull together? A. May have been just pieces of
11 bet 12 der 13 14 15 16 BY 17	A. It was a collab an effort tween my team and the verifications partment. MR. McDONALD: He said collaborative effort. THE WITNESS: Sorry. MR. MIGLIORI: Q. Which reports did your team did the verifications team gather	9 10 11 12 13 14 15 16 17	A. Training materials, some training records. Q. And describe the training records in particular. Are they the actual manuals for training, are they scores or grades for success in training? What kind of records did you pull together? A. May have been just pieces of PowerPoint presentations, or forms that
11 bet 12 der 13 14 15 16 BY 17	A. It was a collab an effort tween my team and the verifications partment. MR. McDONALD: He said collaborative effort. THE WITNESS: Sorry. MR. MIGLIORI: Q. Which reports did your team d the verifications team gather gether?	9 10 11 12 13 14 15 16 17	A. Training materials, some training records. Q. And describe the training records in particular. Are they the actual manuals for training, are they scores or grades for success in training? What kind of records did you pull together? A. May have been just pieces of PowerPoint presentations, or forms that they were completed after a training has
11 bet 12 der 13 14 15 16 BY 17 18 and 19 tog	A. It was a collab an effort tween my team and the verifications partment. MR. McDONALD: He said collaborative effort. THE WITNESS: Sorry. MR. MIGLIORI: Q. Which reports did your team d the verifications team gather gether? A. Sales reports. Any due	9 10 11 12 13 14 15 16 17 18 19 20	A. Training materials, some training records. Q. And describe the training records in particular. Are they the actual manuals for training, are they scores or grades for success in training? What kind of records did you pull together? A. May have been just pieces of PowerPoint presentations, or forms that they were completed after a training has completed. The employees record their
11 bet 12 der 13 14 15 16 BY 17 18 and 19 tog	A. It was a collab an effort tween my team and the verifications partment. MR. McDONALD: He said collaborative effort. THE WITNESS: Sorry. MR. MIGLIORI: Q. Which reports did your team d the verifications team gather gether? A. Sales reports. Any due igence that we may have.	9 10 11 12 13 14 15 16 17 18 19 20	A. Training materials, some training records. Q. And describe the training records in particular. Are they the actual manuals for training, are they scores or grades for success in training? What kind of records did you pull together? A. May have been just pieces of PowerPoint presentations, or forms that they were completed after a training has completed. The employees record their name and sign.
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11 bet 12 der 13 14 15 16 BY 17 18 and 19 tog 20 21 dili 22	A. It was a collab an effort tween my team and the verifications partment. MR. McDONALD: He said collaborative effort. THE WITNESS: Sorry. MR. MIGLIORI: Q. Which reports did your team did the verifications team gather gether? A. Sales reports. Any due igence that we may have. Q. What about pended order ports? Did you review anything like	9 10 11 12 13 14 15 16 17 18 19 20 21	A. Training materials, some training records. Q. And describe the training records in particular. Are they the actual manuals for training, are they scores or grades for success in training? What kind of records did you pull together? A. May have been just pieces of PowerPoint presentations, or forms that they were completed after a training has completed. The employees record their name and sign.

		_	rutther confidentiality keview
	Page 22		Page 24
	verifications and/or regulatory.		litigation?
2	Q. Verifications and what?	2	A. Just on the matter that I
3	A. And/or regulatory.		was being deposed.
4	Q. All right. Do you know when	4	Q. Okay. You didn't talk about
5	the training records started, what years	5	the substance of his testimony?
	they started from what you guinered.	6	A. No.
7	A. I don't remember.	'/	Q. Did you talk to Tina let
8	Q. You said standard operating		me get this Tina Steffanie-Oak at any
9	procedures, were you part of the	9	point about this litigation?
10	collection of the SOPs, or your team?	10	A. I haven't talked to Tina in
11	A. They were collected by		months.
	·, ·, · · · · · · · · · ·	12	Q. Okay. Have you talked to
13	my team.		her since she left the company?
14	Q. Did you review those in	14	A. Yes.
	preparation for today at any point?	15	Q. Did you talk to her about
16	A. I remember looking at one or	1	this litigation?
	two.	17	A. Only when last year when
18	Q. Okay. Were the same people	1	we were talking about her being deposed.
19	at the Melville meeting that were at the	19	Q. Okay. And you haven't
	initial meeting here at Locke Lord?	20	talked to her since her deposition about
21	A. No.	1	her testimony?
22	Q. Who else was there?	22	A. No, I haven't.
23	A. Somebody was missing, and I	23	Q. Okay. When you had your
24	apologize if I don't remember his name.	24	teleconference, did you continue to
	Page 23		Page 25
1	Page 23 I think it was somebody from the Locke	1	Page 25 review documents in preparation for
	_		_
	I think it was somebody from the Locke		review documents in preparation for
3	I think it was somebody from the Locke Lord team.	2	review documents in preparation for today?
3	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony?	2 3 4	review documents in preparation for today? A. Yes. Q. Were there any new documents
3 4	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony?	2 3 4	review documents in preparation for today? A. Yes.
2 3 4 5	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About?	2 3 4 5	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you?
2 3 4 5 6	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation?	2 3 4 5 6	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so.
2 3 4 5 6 7	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation? A. So about being deposed or	2 3 4 5 6 7	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so. Q. Any new testimony described
2 3 4 5 6 7 8	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation? A. So about being deposed or the	2 3 4 5 6 7 8	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so. Q. Any new testimony described to you at any point?
2 3 4 5 6 7 8	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation? A. So about being deposed or the Q. Any aspect of this	2 3 4 5 6 7 8 9	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so. Q. Any new testimony described to you at any point? A. No testimony.
2 3 4 5 6 7 8 9	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation? A. So about being deposed or the Q. Any aspect of this A in particular from	2 3 4 5 6 7 8 9	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so. Q. Any new testimony described to you at any point? A. No testimony. Q. Were the same people
2 3 4 5 6 7 8 9 10	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation? A. So about being deposed or the Q. Any aspect of this A in particular from Q. Any aspect of this	2 3 4 5 6 7 8 9 10	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so. Q. Any new testimony described to you at any point? A. No testimony. Q. Were the same people involved in that meeting?
2 3 4 5 6 7 8 9 10 11 12 13	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation? A. So about being deposed or the Q. Any aspect of this A in particular from Q. Any aspect of this litigation?	2 3 4 5 6 7 8 9 10 11 12 13	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so. Q. Any new testimony described to you at any point? A. No testimony. Q. Were the same people involved in that meeting? A. It was yes.
2 3 4 5 6 7 8 9 10 11 12 13	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation? A. So about being deposed or the Q. Any aspect of this A in particular from Q. Any aspect of this litigation? A. The only thing has been that	2 3 4 5 6 7 8 9 10 11 12 13	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so. Q. Any new testimony described to you at any point? A. No testimony. Q. Were the same people involved in that meeting? A. It was yes. Q. Okay. That is, counsel
2 3 4 5 6 7 8 9 10 11 12 13	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation? A. So about being deposed or the Q. Any aspect of this A in particular from Q. Any aspect of this litigation? A. The only thing has been that we know that we both were deposed or	2 3 4 5 6 7 8 9 10 11 12 13 14	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so. Q. Any new testimony described to you at any point? A. No testimony. Q. Were the same people involved in that meeting? A. It was yes. Q. Okay. That is, counsel inhouse from Henry Schein and counsel
2 3 4 5 6 7 8 9 10 11 12 13 14 15	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation? A. So about being deposed or the Q. Any aspect of this A in particular from Q. Any aspect of this litigation? A. The only thing has been that we know that we both were deposed or being deposed.	2 3 4 5 6 7 8 9 10 11 12 13 14	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so. Q. Any new testimony described to you at any point? A. No testimony. Q. Were the same people involved in that meeting? A. It was yes. Q. Okay. That is, counsel inhouse from Henry Schein and counsel from Locke Lord?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation? A. So about being deposed or the Q. Any aspect of this A in particular from Q. Any aspect of this litigation? A. The only thing has been that we know that we both were deposed or being deposed. Q. Okay. Did you ask him about	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so. Q. Any new testimony described to you at any point? A. No testimony. Q. Were the same people involved in that meeting? A. It was yes. Q. Okay. That is, counsel inhouse from Henry Schein and counsel from Locke Lord? A. Yes, that's correct.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation? A. So about being deposed or the Q. Any aspect of this A in particular from Q. Any aspect of this litigation? A. The only thing has been that we know that we both were deposed or being deposed. Q. Okay. Did you ask him about his deposition?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so. Q. Any new testimony described to you at any point? A. No testimony. Q. Were the same people involved in that meeting? A. It was yes. Q. Okay. That is, counsel inhouse from Henry Schein and counsel from Locke Lord? A. Yes, that's correct. Q. Was it Mr. McDonald or was
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation? A. So about being deposed or the Q. Any aspect of this A in particular from Q. Any aspect of this litigation? A. The only thing has been that we know that we both were deposed or being deposed. Q. Okay. Did you ask him about his deposition? A. No.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so. Q. Any new testimony described to you at any point? A. No testimony. Q. Were the same people involved in that meeting? A. It was yes. Q. Okay. That is, counsel inhouse from Henry Schein and counsel from Locke Lord? A. Yes, that's correct. Q. Was it Mr. McDonald or was it Mr. Jones or both?
2 3 4 4 5 6 6 7 8 8 9 10 11 12 13 14 15 16 17 18 19 20 21	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation? A. So about being deposed or the Q. Any aspect of this A in particular from Q. Any aspect of this litigation? A. The only thing has been that we know that we both were deposed or being deposed. Q. Okay. Did you ask him about his deposition? A. No. Q. Did you ask anybody about	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so. Q. Any new testimony described to you at any point? A. No testimony. Q. Were the same people involved in that meeting? A. It was yes. Q. Okay. That is, counsel inhouse from Henry Schein and counsel from Locke Lord? A. Yes, that's correct. Q. Was it Mr. McDonald or was it Mr. Jones or both? A. No, it was Mr. Jones and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation? A. So about being deposed or the Q. Any aspect of this A in particular from Q. Any aspect of this litigation? A. The only thing has been that we know that we both were deposed or being deposed. Q. Okay. Did you ask him about his deposition? A. No. Q. Did you ask anybody about testimony they've given in this case?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so. Q. Any new testimony described to you at any point? A. No testimony. Q. Were the same people involved in that meeting? A. It was yes. Q. Okay. That is, counsel inhouse from Henry Schein and counsel from Locke Lord? A. Yes, that's correct. Q. Was it Mr. McDonald or was it Mr. Jones or both? A. No, it was Mr. Jones and also Lauren, I don't remember her last name. Q. That's fine. It's not a
2 3 4 4 5 6 6 7 8 8 9 10 11 12 13 14 15 16 17 18 19 20 21	I think it was somebody from the Locke Lord team. Q. Okay. Did you ever speak with Shaun Abreu about your testimony? A. About? Q. About this litigation? A. So about being deposed or the Q. Any aspect of this A in particular from Q. Any aspect of this litigation? A. The only thing has been that we know that we both were deposed or being deposed. Q. Okay. Did you ask him about his deposition? A. No. Q. Did you ask anybody about testimony they've given in this case? A. No.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	review documents in preparation for today? A. Yes. Q. Were there any new documents presented to you? A. I think so. Q. Any new testimony described to you at any point? A. No testimony. Q. Were the same people involved in that meeting? A. It was yes. Q. Okay. That is, counsel inhouse from Henry Schein and counsel from Locke Lord? A. Yes, that's correct. Q. Was it Mr. McDonald or was it Mr. Jones or both? A. No, it was Mr. Jones and also Lauren, I don't remember her last name.
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	Dana 26	J 1	Dama 20
	Page 26	,	Page 28
	teleconference last?	1	reported in the state of Ohio or in
2	A. Teleconference last six	1	some for Summit County transactions
	hours.		ever?
4	Q. And during that six hours,	4	A. I don't know.
6	no testimony was described to you?	5	Q. Do you know whether or not
7	A. No, no testimony.	7	any pended orders were ever discovered
	Q. And that was the third of	8	for Summit County, Ohio, or anywhere
8 9	your four meetings?	9	within the state of Ohio?
10	A. Yes, sir.	10	MR. McDONALD: Object to the
11	Q. And then you had one more	11	form.
12	meeting here at this law office?	12	THE WITNESS: What?
13	A. Yes, sir.	13	MR. McDONALD: Go ahead.
14	Q. And was that yesterday?	14	Answer if you know.
15	A. Yesterday.	15	THE WITNESS: Okay. Sorry,
16	Q. And how long was that	16	by knowing, you mean a specific
17	meeting? A. It started at around nine	17	or because we know that we were
18		18	doing it we were more like
19	and finished around four.		more than likely reported to Ohio. BY MR. MIGLIORI:
20	Q. Okay. So about seven hours?A. About seven hours.	20	
21			Q. Well, I'm not asking about
22	•		reporting to Ohio, the state of Ohio,
	you spent somewhere between 20 and 25 hours preparing for today?		I'll get to that separately. Right now
24	A. Between that.		I'm talking about, and I'll be clear I guess, to the DEA field office.
	A. Detween that.		guess, to the DLA field office.
		_	
	Page 27		Page 29
1	Q. In the meeting yesterday,	1	Did you report any pended
2	Q. In the meeting yesterday, did you see any documents that were new	2	Did you report any pended orders to the DEA field office for Summit
2 3	Q. In the meeting yesterday, did you see any documents that were new that you hadn't seen before?	2	Did you report any pended orders to the DEA field office for Summit County or within the state of Ohio at any
2 3 4	Q. In the meeting yesterday, did you see any documents that were new that you hadn't seen before? A. I think I saw a couple, yes.	2 3 4	Did you report any pended orders to the DEA field office for Summit County or within the state of Ohio at any point while you were at Henry Schein to
2 3 4 5	Q. In the meeting yesterday, did you see any documents that were new that you hadn't seen before? A. I think I saw a couple, yes. Q. And the documents that	2 3 4 5	Did you report any pended orders to the DEA field office for Summit County or within the state of Ohio at any point while you were at Henry Schein to your knowledge?
2 3 4 5 6	Q. In the meeting yesterday, did you see any documents that were new that you hadn't seen before? A. I think I saw a couple, yes. Q. And the documents that you're looking at generally, were they	2 3 4 5 6	Did you report any pended orders to the DEA field office for Summit County or within the state of Ohio at any point while you were at Henry Schein to your knowledge? A. I don't remember.
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Highly Confidencial - Subject	_
	Page 32
¹ suspicious order?	¹ A. Yes.
² A. No.	² Q. Let's start at the last
³ Q. I'm going to hand you	³ page.
⁴ documents throughout the day. It's a	⁴ A. Okay.
⁵ tough reach but	⁵ Q. It says that you attended
6 (Document marked for	6 law school at the Universidad Raphael
⁷ identification as Exhibit	⁷ Landívar in Guatemala, Central America.
8 Henry Schein-Tejeda-1.)	8 Is that correct?
⁹ BY MR. MIGLIORI:	⁹ A. Yes, sir.
Q. This is today's notice of	Q. And it has the date of 1986.
¹¹ deposition for the record.	¹¹ Did you what kind of degree did you
And you have seen this,	¹² get in 1986?
13 haven't you?	A. So, I close curriculum, I
14 A. Yes.	¹⁴ didn't graduate.
Q. This tells you to come here	Q. Okay. Was that a school
16 today. Did you bring any documents with	
17 you today?	become a lawyer or was there another
A. Not related to the to	¹⁸ program within the university that you
19 this.	19 were attending?
Q. No? Okay. I've been	A. It was a full law school to
21 provided with what appears to be a	21 become a lawyer.
22 curriculum vitae. I'm not sure when this	Q. Okay. So you did not
was prepared.	²³ complete law school?
24 (Document marked for	24 A. No.
(Document marked for	11. 110.
_	e 31 Page 33
identification as Exhibit	¹ Q. After law school it lists as
 identification as Exhibit Henry Schein-Tejeda-2.) 	 Q. After law school it lists as your next educational background, Adelphi
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Page 34 Page 36 ¹ work of -- more as an attorney as opposed ¹ are we talking about? A. Drugs, medical devices, ² to a paralegal. Q. But you were not a lawyer, supplies, paper goods, vitamins. Q. And in 1993 you moved from a 4 correct? ⁵ customer returns representative to a A. No, I wasn't. customer returns department Q. Before that, from 1980 to ⁷ return-to-vendor coordinator. You did ⁷ 1988 or during that same period of time ⁸ that for two years. What change in you are also listed as a paralegal, responsibilities did you have at Henry correct? 10 A. Yes. ¹⁰ Schein? 11 11 Q. At any point during that A. Since I was working with our ¹² professional experience, did you have any suppliers and business partners in 13 role or relationship to any kind of 13 coordinating returns of product to -- to pharmaceutical litigation? 14 them based on their policies and our A. Not litigation. My role was needs. ¹⁶ more, on that end, drug registration, you 16 Q. I assume at this point through 1995 -- from 1990 to 1995 you had ¹⁷ know, intellectual property, things like 18 that. no responsibilities relative to 19 controlled substances, correct? Q. You left Barrios and ²⁰ Comparini and went to Tres Torres, S.A., 20 A. As far as processing the ²¹ in Guatemala from '88 to '90. It says ²¹ returns and processing paperwork to ²² return controlled substances, or dispose ²² collections manager. Is that what it ²³ sounds like? Did you work for a firm ²³ of it, that was my role with controlled ²⁴ that did collections? ²⁴ substances. Page 35 Page 37 A. So this was a software Q. You had no issue -- no ² company, and they hired me to run their ² responsibilities relative to compliance ³ collections department, yes. ³ issues or training or oversight with ⁴ regulatory affairs, correct? Q. So, again, you were not a ⁵ lawyer; you were either a paralegal or a A. No. Q. No you didn't or --⁶ manager of sorts, correct? 7 A. A manager. A. I didn't. I didn't. Q. All right. So in 1990, it's Q. All right. You started in ⁹ the first entry we have here for Henry 1995 as a customer -- supervisor, customer returns department. So did you ¹⁰ Schein Inc., Port Washington, New York. 11 just work your way up to the top of the 11 What caused you to move to Port ¹² Washington, New York? chain in customer returns? A. My wife is a dentist. And 13 A. Yes, I guess you can say ¹⁴ she was offered a program in NYU that was ¹⁴ that. to make us take the transition to move to 15 Q. So at this point now, ¹⁶ instead of being a representative, you're ¹⁶ the United States. Q. Okay. And from 1990 to now managing 40 associates and 18 1993, it says that you were a customer coordinators? ¹⁹ returns representative. Tell me about 19 A. Yes, sir. 20 ²⁰ that position at Henry Schein. Q. And again, to the extent it 21 A. So this was a position where ²¹ related to controlled substances, it

Q. And what kind of products

²² I received and processed returns from

²³ Henry Schein customers.

24

²² would just be the return and processing

²³ of returned controlled substances from

²⁴ Henry Schein customers, correct?

Page 38 A. So at that point I started 1 talking about at that point in 2 ² to get more involved in policy issues, time? ³ SOPs, working with the verifications MR. MIGLIORI: Yeah. ⁴ teams, understanding the controlled ⁴ BY MR. MIGLIORI: ⁵ substance operations, and obviously Q. As you're starting to learn ⁶ because of the returns, what to do with about policies and standard operating ⁷ the inventories, what to do with special procedures. 8 ⁸ outgoings and things like that. A. I don't remember. Q. Okay. How did you learn Q. Is it fair to say that 10 about all those things? whatever you were starting to learn about 11 A. So my manager was also a DEA compliance, you were learning on the 12 iob? manager of the person that was doing ¹³ controlled substance monitoring, I can 13 A. And -- yes, and by working 14 with -- with Janet and Rob -- Bob. Yes. say. 15 Q. Who was that? Q. At this point do you recall 16 A. Janet Nalbeaiko. Or I'm doing any returns or issues relating to compliance with returns for Schedule II sorry, my manager or the person that was doing -- that was focusing on drugs? 19 verifications? A. When you say doing any 20 returns, what do you mean? Q. Well, I was referring to the ²¹ person that you were referring to. So I Q. We're still talking about a ²² think you said that you learned from period of time when you're in the returns ²³ somebody who was your manager. I was department, 1995 to 1998. You were the ²⁴ trying to figure out who that person was. ²⁴ supervisor of customer returns. And I'm Page 39 Page 41 A. So my manager, his name was ¹ asking you, in that role did you have any ² Bob Carlson. He was also the manager for ² direct involvement with Schedule II ³ Janet, who was more involved in the ³ controlled substances, other than the ⁴ returns being processed from your ⁴ controlled substance management. Q. Okay. And how did they ⁵ customers? ⁶ teach you about issues relating to A. Other than the returns being ⁷ policies, standard operating procedures, processed from our customers, the and controlled substance compliance? ⁸ security of the drugs, making sure that A. So work -- on the work they went to the proper inventory, that ¹⁰ education, and I also started to become ¹⁰ they were recorded appropriately, and 11 responsible of the processes and ¹¹ that if we needed to return anything to the supplier, we were going to do it procedures for the department. 13 according to our processes and their Q. How? How did you learn policies. Some, maybe investigations on ¹⁴ about it? Who taught you? Did you have inventories, things like that. 15 training materials? 16 O. So of all the different 16 A. Do I have training materials? products that were coming into the 18 Q. Were you provided training returns department from 1995 to 1998, what percentage were controlled 19 materials? 20 substances? A. I don't remember. Q. Did you go to any classes to 21 21 A. Very little. ²² learn about the Controlled Substances 22 Q. Is it fair to say that most ²³ of your work in the returns department 23 Act? 24 ²⁴ related to medical devices and other MR. McDONALD: You are

D 40	Turcher Confidenciality Review
Page 42	
¹ non-controlled-substance products sold by	¹ substances from 2002 to 2006?
² Henry Schein?	A. What would you consider
A. You mean as far as yes.	³ small percentage?
Q. In 1998, you moved over to a	Q. You tell me.
⁵ position called regulatory affairs	5 MR. McDONALD: Object to the
⁶ specialist/recall coordinators.	⁶ form.
⁷ Tell me about that position.	⁷ BY MR. MIGLIORI:
⁸ What kind of work were you doing there?	⁸ Q. Was it a
⁹ A. So that's where I started to	⁹ A. So
10 do more I became part of the, at that	Q half your job, was it a
¹¹ point, the regulatory affairs team. And	¹¹ fraction of your job, did you spend any
¹² my first assignment was to be regulatory	12 time doing it?
¹³ coordinator. I also worked with	A. About 25 percent.
14 licensure issues, with quality	Q. Related to controlled
¹⁵ complaints, with adverse events.	15 substances?
Q. And again, it's fair to say	A. Mm-hmm. Yes.
¹⁷ that the recalls that you're talking	Q. Were you
¹⁸ about during this period of time, only a	MR. McDONALD: You've got to
¹⁹ small percentage of those related to	say yes.
²⁰ controlled substances, correct?	²⁰ BY MR. MIGLIORI:
²¹ A. Yes.	Q. And were you involved with
Q. And were there any recalls	²² the suspicious order monitoring programs,
²³ of controlled substances from '98 to 2002	²³ if any, at Schein during this period of
²⁴ that you can recall?	24 time?
Page 43	Page 45
Page 43 1 A Wow I can't recall any	Page 45 A Yes as super one of the
¹ A. Wow. I can't recall any	¹ A. Yes, as super one of the
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	to Further Confidentiality Review
Page 46	Page 48
¹ as manager of regulatory affairs, that	¹ A. Yes.
² "you were responsible to ensure general	² (Document marked for
³ compliance with federal and state	³ identification as Exhibit
⁴ regulations applicable to the	4 Henry Schein-Tejeda-3.)
⁵ distribution of drugs and medical	⁵ BY MR. MIGLIORI:
⁶ devices, including the coordination of	⁶ Q. Let me show you Exhibit 3.
⁷ product recalls."	⁷ It is a document we found online that
8 Did that include controlled	8 describes it's it's dated June 7,
⁹ substances?	⁹ 2010. It says, "Henry Schein appoints
10 A. Yes, it did.	¹⁰ new director of compliance. 6.5 billion,
Q. Did was that still being	¹¹ Henry Schein, a Melville, New York-based
12 held managed by Ms., I think you said	¹² distributor of healthcare products and
¹³ Fariello?	13 services to office-based practitioners,
A. I don't remember at what	has promoted Sergio Tejeda to director of
point she left the company.	regulatory operations and compliance."
Q. Okay. Did somebody replace	16 It says do you do you
17 her in that role?	17 recall this promotion?
18 A. Yes.	18 A. Yes.
19 Q. Who?	
	Q. Was this about the period of
A. Claig Schlavo.	time when this happened, about 2010? A The promotion to director
Q. Okay. This craig continues	The promotion to director,
to work under you for several years,correct?	²² yes. ²³ O Okay It says "Teieda
	Q. Okay. It says, Tejeda
A. Yes, he did.	²⁴ joined Henry Schein in 1990 and spent his
Page 47	Page 49
Page 47 Q. And his position was more	Page 49 1 first eight years at the company as a
_	
¹ Q. And his position was more	¹ first eight years at the company as a
Q. And his position was more directly related to DEA compliance?	 first eight years at the company as a returns supervisor. In 2006 he was promoted to regulatory affairs manager
Q. And his position was more directly related to DEA compliance? A. He did evolve into that, yes.	 first eight years at the company as a returns supervisor. In 2006 he was promoted to regulatory affairs manager and assumed responsibility of the
Q. And his position was more directly related to DEA compliance? A. He did evolve into that, yes.	 first eight years at the company as a returns supervisor. In 2006 he was promoted to regulatory affairs manager
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	D 50		D 6
-	Page 50		Page 52
	that were in place throughout the rest of	1	THE WITNESS: Domestically.
2	Henry Schein?	2	BY MR. MIGLIORI:
3	MR. McDONALD: Object to the	3	Q. Okay. So it involved
4	form.	4	what were the other business units that
5	BY MR. MIGLIORI:	5	you were responsible for at this time?
6	Q. At this time?	6	A. Dental, medical, vet.
7	MR. McDONALD: Object to the	7	Q. Vet?
8	form.	8	A. Veterinary medicine.
9	Go ahead. You can answer if	9	Q. Okay. Okay. And it makes
10	you understand.	10	reference here to the FDA, DEA, and
11	THE WITNESS: They weren't	11	
12		12	<u>-</u>
	the same. They were similar. BY MR. MIGLIORI:	13	Do you see that?
14		14	A. Yes.
	Q. Wasn't it true that GIV was		Q. So and it also has
15	lagging behind Henry Schein in terms of	15	oversight of the Canadian regulatory team
16	suspicious order monitoring compliance?	16	on the second page, right?
17	MR. McDONALD: Object to the	17	A. Yes.
18	form.	18	Q. Who was the person that was
19	BY MR. MIGLIORI:	19	more directly involved under you at this
20	Q. In 2010?	20	point for DEA compliance relative to
21	MR. McDONALD: Object to the	21	controlled substances, was that Craig
22	form.	22	Schiavo?
23	THE WITNESS: As far as our	23	MR. McDONALD: Object to the
24	best practices, they had some	24	form. Vague as to time.
	Page 51		Page 53
1	_	1	THE WITNESS: Should I
	opportunities.	2	
3	DT MIK. MIODIOKI.	3	respond?
	Q. They had some opportunities	4	MR. McDONALD: If you
5	to improve?	5	understand the question, Sergio,
_	A. Yes.	1 5	then you should answer the
6			then you should answer the
_	Q. So on the first page of your	6	question unless I tell you not to.
7	CV going back to Exhibit Number 2. This	7	question unless I tell you not to. THE WITNESS: Okay.
7			question unless I tell you not to.
7	CV going back to Exhibit Number 2. This	7	question unless I tell you not to. THE WITNESS: Okay.
7	CV going back to Exhibit Number 2. This position is described here as director of	7 8	question unless I tell you not to. THE WITNESS: Okay. So I I think at the
7 8 9	CV going back to Exhibit Number 2. This position is described here as director of regulatory operations and compliance 2010 to 2013.	7 8 9	question unless I tell you not to. THE WITNESS: Okay. So I I think at the beginning of that period, Craig
7 8 9 10	CV going back to Exhibit Number 2. This position is described here as director of regulatory operations and compliance 2010 to 2013. Are we talking about the	7 8 9 10	question unless I tell you not to. THE WITNESS: Okay. So I I think at the beginning of that period, Craig Schiavo was focused on that. We
7 8 9 10	CV going back to Exhibit Number 2. This position is described here as director of regulatory operations and compliance 2010 to 2013. Are we talking about the same position?	7 8 9 10 11	question unless I tell you not to. THE WITNESS: Okay. So I I think at the beginning of that period, Craig Schiavo was focused on that. We added resources to that function over time.
7 8 9 10 11	CV going back to Exhibit Number 2. This position is described here as director of regulatory operations and compliance 2010 to 2013. Are we talking about the same position? A. The same position as as	7 8 9 10 11 12	question unless I tell you not to. THE WITNESS: Okay. So I I think at the beginning of that period, Craig Schiavo was focused on that. We added resources to that function over time. BY MR. MIGLIORI:
7 8 9 10 11 12	CV going back to Exhibit Number 2. This position is described here as director of regulatory operations and compliance 2010 to 2013. Are we talking about the same position? A. The same position as as the document?	7 8 9 10 11 12	question unless I tell you not to. THE WITNESS: Okay. So I I think at the beginning of that period, Craig Schiavo was focused on that. We added resources to that function over time. BY MR. MIGLIORI: Q. Okay. In 2010, Henry
7 8 9 10 11 12 13	CV going back to Exhibit Number 2. This position is described here as director of regulatory operations and compliance 2010 to 2013. Are we talking about the same position? A. The same position as as the document? Q. As as the press release?	7 8 9 10 11 12 13 14	question unless I tell you not to. THE WITNESS: Okay. So I I think at the beginning of that period, Craig Schiavo was focused on that. We added resources to that function over time. BY MR. MIGLIORI: Q. Okay. In 2010, Henry Schein at the beginning of 2010, Henry
7 8 9 10 11 12 13 14 15	CV going back to Exhibit Number 2. This position is described here as director of regulatory operations and compliance 2010 to 2013. Are we talking about the same position? A. The same position as as the document? Q. As as the press release? A. Yes.	7 8 9 10 11 12 13 14 15	question unless I tell you not to. THE WITNESS: Okay. So I I think at the beginning of that period, Craig Schiavo was focused on that. We added resources to that function over time. BY MR. MIGLIORI: Q. Okay. In 2010, Henry Schein at the beginning of 2010, Henry Schein implemented a new suspicious order
7 8 9 10 11 12 13 14 15 16 17	CV going back to Exhibit Number 2. This position is described here as director of regulatory operations and compliance 2010 to 2013. Are we talking about the same position? A. The same position as as the document? Q. As as the press release? A. Yes. Q. And again, this is across	7 8 9 10 11 12 13 14 15 16	question unless I tell you not to. THE WITNESS: Okay. So I I think at the beginning of that period, Craig Schiavo was focused on that. We added resources to that function over time. BY MR. MIGLIORI: Q. Okay. In 2010, Henry Schein at the beginning of 2010, Henry Schein implemented a new suspicious order monitoring system, correct?
7 8 9 10 11 12 13 14 15 16 17	CV going back to Exhibit Number 2. This position is described here as director of regulatory operations and compliance 2010 to 2013. Are we talking about the same position? A. The same position as as the document? Q. As as the press release? A. Yes. Q. And again, this is across all Henry Schein business units, correct?	7 8 9 10 11 12 13 14 15 16 17	question unless I tell you not to. THE WITNESS: Okay. So I I think at the beginning of that period, Craig Schiavo was focused on that. We added resources to that function over time. BY MR. MIGLIORI: Q. Okay. In 2010, Henry Schein at the beginning of 2010, Henry Schein implemented a new suspicious order monitoring system, correct? MR. McDONALD: Object to the
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	CV going back to Exhibit Number 2. This position is described here as director of regulatory operations and compliance 2010 to 2013. Are we talking about the same position? A. The same position as as the document? Q. As as the press release? A. Yes. Q. And again, this is across all Henry Schein business units, correct? MR. McDONALD: Object to the form. BY MR. MIGLIORI:	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	question unless I tell you not to. THE WITNESS: Okay. So I I think at the beginning of that period, Craig Schiavo was focused on that. We added resources to that function over time. BY MR. MIGLIORI: Q. Okay. In 2010, Henry Schein at the beginning of 2010, Henry Schein implemented a new suspicious order monitoring system, correct? MR. McDONALD: Object to the form. THE WITNESS: The enhanced suspicious order monitoring

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	Page 54	1	Page 56
1	Q. At the end of 2009, in	1	A. Again, I don't remember at
	October, November of 2009, correct?	1	what point Shaun joined as manager.
3	A. I don't remember the exact	3	Q. In 2010, beginning of 2010,
	time. But I think it was earlier than	l _	what percentage of the responsibilities
	that.	5	with the enhanced suspicious order
6	Q. Okay. Well, I'll show you	6	monitoring program were the
7	some documents.	'	responsibility of regulatory, and what
8	But that program, was that	8	percentage was the responsibility of
9	as of 2010 when you took this position of	9	verifications, if you can estimate?
10	director of regulatory operations and	10	MR. McDONALD: Object to the
	compliance, were you then responsible	11	form.
	overall for the implementation and	12	THE WITNESS: As far as
	execution of that suspicious order	13	reviewing the orders that have
	monitoring program as it related to	14	pended in the system,
15	controlled substances?	15	verifications was the first line.
16	A. From the regulatory side, I	16	And a percentage of that came to
17	was responsible for the development and	17	regulatory.
18	implementation of the system, yes.	18	BY MR. MIGLIORI:
19	Q. Okay. And you're	19	Q. Okay. Do you know what
20	distinguishing that from the	20	percentage came to regulatory?
21	verifications side?	21	A. Approximately, I mean, but
22	A. We had several project	22	I'm not sure.
23	managers.	23	Q. Okay. What approximately?
24	Q. Okay. And my question was,	24	MR. McDONALD: Object to the
	Page 55		Page 57
1	was the verifications department also	1	form.
	involved with the execution of that	2	Go ahead.
	enhanced suspicious order monitoring	3	THE WITNESS: Around 12,
	system?	4	15 percent.
5	A. Yes.	5	BY MR. MIGLIORI:
6	Q. And the person there that	6	Q. Came to regulatory?
7		7	A. Came to regulatory, yes.
8	was that Shaun Abreu during this period	8	Q. So beginning in 2010 and
9	of time?	9	going forward to today, is it still true
10	A. You know, I don't remember	10	that 85 to 88 percent of the review of
11	exactly when Shaun joined the team. But	11	suspicious orders at Henry Schein are
	if you're asking between 2008 and 2009, I	12	handled at the verifications stage
	don't remember that he was the		without regulatory involvement?
	verifications manager at that point.	14	MR. McDONALD: Object to the
15	Q. I'm asking from 2010 going	15	form.
16	forward, now that the enhanced monitoring	16	BY MR. MIGLIORI:
17		17	Q. The regulatory department's
18	- T	18	involvement?
	its oversight and management?	19	MR. McDONALD: Same
20	A. Okay. Yes, the	20	objection.
	verifications manager and their	21	THE WITNESS: Around that
22	management team.	22	percentage.
23	Q. Okay. And do you recall if		BY MR. MIGLIORI:
	that was Shaun Abreu at the time?	24	Q. And today, is that
-	mat was snaun Auteu at the time!		Z. And today, is that

	Page 58		Page 60
1	department managed and overseen by Shaun	1	the company's suspicious order monitoring
2	Abreu?	2	systems?
3	A. Shaun Abreu, yes.	3	A. Yes.
4	Q. Okay. In 2013, it's the	4	Q. Do you continue to be
5	last entry here on your resumé. It says	5	responsible for the "know your customer"
6	director of regulatory affairs. Is that	6	obligations of the DEA?
7		7	A. Yes.
8	or is this the one that switched in 2015?	8	Q. And the due diligence
9	A. Director of regulatory	9	program at Henry Schein, are you still
10		10	responsible for that?
11	Q. Okay. I don't see the	11	A. Know your customers, the
12	distinction that you made earlier for me	12	diligence program, yes.
13	•	13	Q. And is that entirely within
14	A. So I'm no longer responsible	14	regulatory affairs, or is that shared
15	for the Canadian regulatory team.		with verifications?
16	Q. Okay. Is that what dropped	16	A. That is shared with
17	out from this description in your	17	verifications.
	curriculum vitae around 2015, the	18	Q. Same percentages with
	oversight of Canadian affairs?	19	responsibility, 85 to 88 percent?
20	A. Well, based on this, it	20	MR. McDONALD: Object to the
21	dropped down in 2013.	21	form.
22	Q. Okay. So the position that	22	THE WITNESS: Yeah, around
23	you hold today, based on this resumé that	23	that.
	you prepared last year, the position that	24	BY MR. MIGLIORI:
	Page 59		Page 61
	you hold today is the one described here	1	Q. Okay. It says that you
2	you hold today is the one described here as director of regulatory affairs, 2013	2	Q. Okay. It says that you helped to formalize the "know your
3	you hold today is the one described here as director of regulatory affairs, 2013 to the present?	2 3	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for
3 4	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit.	3 4	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts.
2 3 4 5	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit. Q. In any way that was	2 3 4 5	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts. Were you involved in the
3 4	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit. Q. In any way that was significant or related to controlled	2 3 4 5	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts. Were you involved in the "know your customer" site visit program
2 3 4 5	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit. Q. In any way that was significant or related to controlled substances?	2 3 4 5	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts. Were you involved in the "know your customer" site visit program that Tina Steffanie-Oak and others were
2 3 4 5 6	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit. Q. In any way that was significant or related to controlled substances? A. To controlled substances, we	2 3 4 5 6	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts. Were you involved in the "know your customer" site visit program
2 3 4 5 6 7	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit. Q. In any way that was significant or related to controlled substances?	2 3 4 5 6 7	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts. Were you involved in the "know your customer" site visit program that Tina Steffanie-Oak and others were
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2 3 4 5 6 7 8 9 10	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit. Q. In any way that was significant or related to controlled substances? A. To controlled substances, we are now responsible for licensure, so we are responsible to maintain controlled substance licenses for the company. And	2 3 4 5 6 7 8	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts. Were you involved in the "know your customer" site visit program that Tina Steffanie-Oak and others were involved in? A. Yes, I was. Q. Did they have to report to you their progress in the "know your
2 3 4 5 6 7 8 9 10 11 12	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit. Q. In any way that was significant or related to controlled substances? A. To controlled substances, we are now responsible for licensure, so we are responsible to maintain controlled substance licenses for the company. And we are responsible for item initiation.	2 3 4 5 6 7 8 9 10 11	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts. Were you involved in the "know your customer" site visit program that Tina Steffanie-Oak and others were involved in? A. Yes, I was. Q. Did they have to report to you their progress in the "know your customer" project to complete the due
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2 3 4 5 6 7 8 9 10 11 12 13	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit. Q. In any way that was significant or related to controlled substances? A. To controlled substances, we are now responsible for licensure, so we are responsible to maintain controlled substance licenses for the company. And we are responsible for item initiation. Q. I'm sorry. For what initiation? A. Item initiation, item	2 3 4 5 6 7 8 9 10 11 12 13 14	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts. Were you involved in the "know your customer" site visit program that Tina Steffanie-Oak and others were involved in? A. Yes, I was. Q. Did they have to report to you their progress in the "know your customer" project to complete the due diligence A. Yes. Q files?
2 3 4 5 6 7 8 9 10 11 12 13 14	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit. Q. In any way that was significant or related to controlled substances? A. To controlled substances, we are now responsible for licensure, so we are responsible to maintain controlled substance licenses for the company. And we are responsible for item initiation. Q. I'm sorry. For what initiation? A. Item initiation, item	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts. Were you involved in the "know your customer" site visit program that Tina Steffanie-Oak and others were involved in? A. Yes, I was. Q. Did they have to report to you their progress in the "know your customer" project to complete the due diligence A. Yes.
2 3 3 4 5 6 7 8 9 10 11 12 13 14 15	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit. Q. In any way that was significant or related to controlled substances? A. To controlled substances, we are now responsible for licensure, so we are responsible to maintain controlled substance licenses for the company. And we are responsible for item initiation. Q. I'm sorry. For what initiation? A. Item initiation, item creation, to make sure that all items	2 3 4 5 6 7 8 9 10 11 12 13 14	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts. Were you involved in the "know your customer" site visit program that Tina Steffanie-Oak and others were involved in? A. Yes, I was. Q. Did they have to report to you their progress in the "know your customer" project to complete the due diligence A. Yes. Q files?
2 3 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit. Q. In any way that was significant or related to controlled substances? A. To controlled substances, we are now responsible for licensure, so we are responsible to maintain controlled substance licenses for the company. And we are responsible for item initiation. Q. I'm sorry. For what initiation? A. Item initiation, item creation, to make sure that all items	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts. Were you involved in the "know your customer" site visit program that Tina Steffanie-Oak and others were involved in? A. Yes, I was. Q. Did they have to report to you their progress in the "know your customer" project to complete the due diligence A. Yes. Q files? A. I'm sorry. Yes. Q. Okay. And it says here that
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2 3 3 4 5 6 7 8 8 9 10 11 12 13 14 15 16 17 18	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit. Q. In any way that was significant or related to controlled substances? A. To controlled substances, we are now responsible for licensure, so we are responsible to maintain controlled substance licenses for the company. And we are responsible for item initiation. Q. I'm sorry. For what initiation? A. Item initiation, item creation, to make sure that all items have the correct regulatory attributes in the system, so as it pertains to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts. Were you involved in the "know your customer" site visit program that Tina Steffanie-Oak and others were involved in? A. Yes, I was. Q. Did they have to report to you their progress in the "know your customer" project to complete the due diligence A. Yes. Q files? A. I'm sorry. Yes. Q. Okay. And it says here that one of your major accomplishments during this period of time, 2013 to the present, was compliance awareness manual and
2 3 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit. Q. In any way that was significant or related to controlled substances? A. To controlled substances, we are now responsible for licensure, so we are responsible to maintain controlled substance licenses for the company. And we are responsible for item initiation. Q. I'm sorry. For what initiation? A. Item initiation, item creation, to make sure that all items have the correct regulatory attributes in the system, so as it pertains to controlled substances, yes. And I have less involvement in the quality side, but that's probably	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts. Were you involved in the "know your customer" site visit program that Tina Steffanie-Oak and others were involved in? A. Yes, I was. Q. Did they have to report to you their progress in the "know your customer" project to complete the due diligence A. Yes. Q files? A. I'm sorry. Yes. Q. Okay. And it says here that one of your major accomplishments during this period of time, 2013 to the present, was compliance awareness manual and inspection preparedness guidelines for
2 3 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit. Q. In any way that was significant or related to controlled substances? A. To controlled substances, we are now responsible for licensure, so we are responsible to maintain controlled substance licenses for the company. And we are responsible for item initiation. Q. I'm sorry. For what initiation? A. Item initiation, item creation, to make sure that all items have the correct regulatory attributes in the system, so as it pertains to controlled substances, yes. And I have less involvement in the quality side, but that's probably not relative to controlled substances.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts. Were you involved in the "know your customer" site visit program that Tina Steffanie-Oak and others were involved in? A. Yes, I was. Q. Did they have to report to you their progress in the "know your customer" project to complete the due diligence A. Yes. Q files? A. I'm sorry. Yes. Q. Okay. And it says here that one of your major accomplishments during this period of time, 2013 to the present, was compliance awareness manual and inspection preparedness guidelines for Henry Schein operations. Did you prepare
2 3 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	you hold today is the one described here as director of regulatory affairs, 2013 to the present? A. Has changed a little bit. Q. In any way that was significant or related to controlled substances? A. To controlled substances, we are now responsible for licensure, so we are responsible to maintain controlled substance licenses for the company. And we are responsible for item initiation. Q. I'm sorry. For what initiation? A. Item initiation, item creation, to make sure that all items have the correct regulatory attributes in the system, so as it pertains to controlled substances, yes. And I have less involvement in the quality side, but that's probably	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. It says that you helped to formalize the "know your customer" site visit program for different types of accounts. Were you involved in the "know your customer" site visit program that Tina Steffanie-Oak and others were involved in? A. Yes, I was. Q. Did they have to report to you their progress in the "know your customer" project to complete the due diligence A. Yes. Q files? A. I'm sorry. Yes. Q. Okay. And it says here that one of your major accomplishments during this period of time, 2013 to the present, was compliance awareness manual and inspection preparedness guidelines for Henry Schein operations. Did you prepare

	ighty confidencial babyees e	o Further Confidentiality Review
	Page 62	Page 64
1	Q. Did you approve it?	¹ a moment.
2	A. Yes.	² And so the compliance
3	Q. Did you review it in	³ awareness manual, what kind of manual
4	preparation for today?	⁴ what kind of topics were covered in that?
5	A. Did I review it in	⁵ A. The compliance awareness
6	preparation for today?	6 manual is meant to be a tool for Henry
7	Q. In any of the 25 hours of	⁷ Schein operations, Henry Schein
8	review?	⁸ facilities so it covers awareness for our
9	MR. McDONALD: Object to the	⁹ regulatory responsibilities with many
10	form.	¹⁰ different agencies, many different
11	THE WITNESS: No. That	11 regulations. We cover DEA compliance, we
12	wasn't one of the documents as I	¹² cover FDA compliance. EPA, OSHA. We
13	remember reviewing.	13 cover state law.
14	BY MR. MIGLIORI:	Q. So would the Ohio suspicious
15	Q. Do you know where that	order reporting requirements be in there?
16	document is today?	A. That is the answer is no,
17	A. The current version of which	because that document is meant to be
18	one? The compliance	awareness for the operations team. So
19	Q. The compliance I'm sorry,	19 Ohio compliance is covered in a different
20	the compliance awareness manual and	²⁰ SOP.
21	inspection preparedness guidelines for	Q. Okay. Did you review that
	Henry Schein operations.	22 SOP in preparation for today, for the
23	A. It's two different	23 Ohio compliance?
24	documents.	24 A. No.
	documents.	71. 110.
	Page 63	Page 65
1	Q. Okay. Do you know where	Page 65 Q. If you were to go look for
	_	
	Q. Okay. Do you know where they are? Where would you go to look for	¹ Q. If you were to go look for
2	Q. Okay. Do you know where they are? Where would you go to look for	Q. If you were to go look for that today, would that be in the PowerDMS
2 3 4	Q. Okay. Do you know where they are? Where would you go to look for them right now if you had to go get them? A. Our document management	Q. If you were to go look for that today, would that be in the PowerDMS system that you talked about
2 3 4	Q. Okay. Do you know where they are? Where would you go to look for them right now if you had to go get them?	Q. If you were to go look for that today, would that be in the PowerDMS system that you talked about A. Yes.
2 3 4 5	Q. Okay. Do you know where they are? Where would you go to look for them right now if you had to go get them? A. Our document management system.	Q. If you were to go look for that today, would that be in the PowerDMS system that you talked about A. Yes. Q with the other SOPs?
2 3 4 5 6	Q. Okay. Do you know where they are? Where would you go to look for them right now if you had to go get them? A. Our document management system. Q. Is that the JDW JEW, JWE?	Q. If you were to go look for that today, would that be in the PowerDMS system that you talked about A. Yes. Q with the other SOPs? Did you help create the
2 3 4 5 6 7	Q. Okay. Do you know where they are? Where would you go to look for them right now if you had to go get them? A. Our document management system. Q. Is that the JDW JEW, JWE? A. No. No, it's not that one.	Q. If you were to go look for that today, would that be in the PowerDMS system that you talked about A. Yes. Q with the other SOPs? Did you help create the compliance awareness manual?
2 3 4 5 6 7 8	Q. Okay. Do you know where they are? Where would you go to look for them right now if you had to go get them? A. Our document management system. Q. Is that the JDW JEW, JWE? A. No. No, it's not that one. Q. What is it?	Q. If you were to go look for that today, would that be in the PowerDMS system that you talked about A. Yes. Q with the other SOPs? Did you help create the compliance awareness manual? A. Like I said, we we
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2 3 4 5 6 7 8 9	Q. Okay. Do you know where they are? Where would you go to look for them right now if you had to go get them? A. Our document management system. Q. Is that the JDW JEW, JWE? A. No. No, it's not that one. Q. What is it? A. It is called PowerDMS. Q. Okay.	Q. If you were to go look for that today, would that be in the PowerDMS system that you talked about A. Yes. Q with the other SOPs? Did you help create the compliance awareness manual? A. Like I said, we we discussed the plan, what should cover, then my team developed it. We went
2 3 4 5 6 7 8 9 10	Q. Okay. Do you know where they are? Where would you go to look for them right now if you had to go get them? A. Our document management system. Q. Is that the JDW JEW, JWE? A. No. No, it's not that one. Q. What is it? A. It is called PowerDMS. Q. Okay. A. It's a specific document	Q. If you were to go look for that today, would that be in the PowerDMS system that you talked about A. Yes. Q with the other SOPs? Did you help create the compliance awareness manual? A. Like I said, we we discussed the plan, what should cover, then my team developed it. We went through several revisions and then we
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		J .	ratefier confidenciality Review
,	Page 66	1	Page 68
1	Were you involved with that	1	11. East year.
2	compliance education.	2	Q. And that includes DEA
3	A. What was that, I'm sorry?	3	compilance
4	Q. I'm sorry, the second to	4	A. Yes.
5	last bullet point. If you look on the	5	Q for the sales force.
6	screen in front of you I can point to it.	7	A. Sorry, yes.
	A. Okay.		Q. And why is it important to
8	Q. "DEA and FDA compliance	8	educate the sales force on DEA
10	education for field sales consultants."	10	compliance?
11	A. Yes, sir.		MR. McDONALD: Objection.
1	Q. All right. So tell me about	11	BY MR. MIGLIORI:
12	that. What kind of education program are	12	Q. What role, if any, do they
13	you put together for your field sales	13	play in BEH Compliance at Hemy Schem.
15	consultants?	15	MR. McDONALD: Object to the
	A. Okay. So we have done a	16	form.
16	couple of different timigs. We have	17	THE WITNESS: It is
17	attended regional sales meetings, and	18	important to us that everybody
18	prepare material to train them on the	19	knows what the requirements that
19	congations of the company, then	20	the company need to comply are.
21	responsibility, what we need to do.	21	Everybody plays a role.
	We have, when we do attend	22	We have very good
	regional meetings, there is the field	23	relationship with our customers,
	sales consultants spend some time with us	24	especially the field sales
24	in either by group or one-to-one basis.	21	consultants. They visit our
	Page 67		Page 69
1	We provide the explanation, they ask	1	practitioners' offices on a daily
2	questions. They tell us what their	2	basis. So they need to understand
3	concerns may be. Then we develop a	3	what they can, what they cannot
4	program that we use to train them via	4	do. They need to understand it in
5	phone and web conference. And that was	5	order to for them to be able to
6	delivered as well in groups, so we had	6	do their work, better service our
7	several meetings, so several sessions on	7	customer without putting the
8	that. That was in in partnership with	8	company at any risk or
9	Bill Brandt the director of verifications	9	BY MR. MIGLIORI:
10	at that point.	10	Q. Are they involved in the due
11	We also have developed	11	diligence process either for a new
12	online education models so our field	12	customer that they onboard or for
13	sales consultants now, when they join the	13	existing companies customers?
14	company, they are required to go unough	14	MR. McDONALD: Object to the
15	this online training, and then I forget	15	Torini. Go uncud.
16	how often they need to take refresher.	16	THE WITNESS: Not really.
17	But those have been some of	17	We we are developing a program
18	the things that we have done. We have	18	that somebody from operations or
19	also meet with field sales consultants	19	an FSC may carry a laptop or
20	groups in our distribution centers. And	20	something to the customer office,
21	provide some training that way.	21	and we will be on the other side
22	Q. The online training that you	22	of the of the line, and they
23	discuss, when did that first get	23	will be able to interact with the
24	implemented?	24	customer by showing documents,

	Dec. 72
Page 70	Page 72
assisting to show us what the	¹ before 2013 when you took this
facility is, things like that.	² position
But the the review will be	³ A. I
4 conducted by somebody in	Q that is, the regulatory
⁵ regulatory.	⁵ training and education of sales
⁶ BY MR. MIGLIORI:	⁶ force-type meetings, do you recall them
⁷ Q. Okay. This is something	⁷ happening before 2013?
⁸ you're developing now that's not yet	8 A. Yes.
⁹ implemented?	⁹ Q. How far back, to your
A. Yeah. We have tested a	¹⁰ recollection, were those types of
¹¹ couple of times.	¹¹ training sessions or or presentations
Q. So it's essentially a	¹² made to the sales force, to your best
¹³ virtual site visit, that is, it's	13 recollection?
¹⁴ through through laptop interaction of	¹⁴ A. 2010, maybe.
15 some sort?	Q. So, since the launch of the
¹⁶ A. Essential, yes. Virtual	¹⁶ enhanced suspicious order monitoring
17 site visit.	system maybe, that you incorporated
Q. Does the sales force, are	¹⁸ training of sales force in the DEA
¹⁹ they trained in this either online or	¹⁹ compliance training program, does that
²⁰ written or regional sales meeting	seem to coincide with your recollection?
²¹ trainings, are they trained to identify	A. Yeah, it is a separate
²² red flags or potential suspicious issues	²² program, yes.
²³ relating to controlled substances, is	Q. Okay. And are those written
²⁴ that part of the training?	²⁴ materials or presentations, things that
Page 71	Page 73
Page 71 1	Page 73
¹ A. Yes. We cover red flags, we	¹ are on the thumb drives, is that
¹ A. Yes. We cover red flags, we ² cover potential signs of issues.	 are on the thumb drives, is that something that you still use today?
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Page 74 Page 76 ¹ BY MR. MIGLIORI: ¹ Pesale. Q. Was it called regional sales Q. And by looking at it, would ³ training? Was it called anything that ³ you have prepared the original issue, or ⁴ you can particularly remember if you were 4 is the way this is prepared, this would ⁵ to say, I need to go grab the education ⁵ say that you prepared the revision in ⁶ materials for the sales force? ⁶ March of 2003? How do I read this document? A. No, not really. Q. Okay. Who would you ask in A. It is -- would be prepared your department for the latest version of in collaboration with Frank. At this 10 it? point, Frank will have more of a role of 11 ¹¹ doing the revision, and I will have more The latest version? 12 of a role of reviewing and approving. Q. Yeah. If you said I want to 13 read it this afternoon, ask so and so to ¹³ But, you know, we worked close together. go get it for me. Who would be that Q. I guess my question is a person? ¹⁵ little more basic. In looking at the 16 Liam Schauer would be one. ¹⁶ document, can you tell whether you were A. 17 involved with the original issue or are Q. What position is Liam Schauer in? 18 you only necessarily here involved in preparing the revision? And can you tell 19 A. He's a senior regulatory ²⁰ from looking at the document? And if you specialist. ²¹ don't know, that's fine too. Q. Okay. And is your team 22 ²² responsible for updating it, verifying A. I don't remember. 23 its accuracy, making changes and 23 Q. All right. On the front ²⁴ modifications to it? ²⁴ page it says, "The purpose of this policy Page 75 Page 77 A. Yes. 1 ¹ is to comply with the PDMA record 2 ² retention requirements and to standardize MR. MIGLIORI: Why don't we ³ Henry Schein's record retention 3 take a break here. 4 4 procedures." THE VIDEOGRAPHER: Going off 5 the record 10:15 a.m. What is PDMA? 6 (Short break.) A. Prescription Drug Marketing 7 THE VIDEOGRAPHER: Back on Act. 8 record at 10:27 a.m. Q. Okay. And it gives some 9 definitions, and it lists different BY MR. MIGLIORI: 10 Q. Okay. Mr. Tejeda, here is ¹⁰ acronyms. ICT is the inventory control ¹¹ ticket, et cetera. ¹¹ Exhibit Number 4. 12 And then on the right side (Document marked for 13 13 it has WCS, the warehouse control system. identification as Exhibit ¹⁴ What is that system? Henry Schein-Tejeda-4.) 15 BY MR. MIGLIORI: A. So it's -- it's a warehouse 16 Q. This is a standard operating management system. It's an operations procedure that bears your name on top. management system. It's dated, as I read this, original 18 Q. Does it cover all the 19 issue January 30th, 2002. 19 distribution centers? It says prepared by Sergio A. At this point we had two. ²¹ Tejeda, revised March 14, 2003. ²¹ WCS and WMS were both warehouse 22 So first of all, is this you management systems. ²³ that prepared this? Q. And they were -- in 2003, 24 ²⁴ they were online? A. Yes, along with Frank

Page 78 A. Online. A. The warehouse management ² system. At the point of the order being Q. And everybody -- what kind ³ of information relative to controlled processed, yes. Q. And processed means from the ⁴ substances would have been stored there, ⁵ if any? distribution center out the door? A. The receipt, storage, A. Yes. location moves, pick, pack. Q. Okay. And those records Q. What is pick, pack? ⁸ are -- are searchable by zip code or by A. I'm sorry. When we get an region? How are they managed, if you ¹⁰ order then our distribution centers have know? ¹¹ a print room. So the print room will 11 A. The records that are in the ¹² print a batch record, which will cover system, they may be searchable by account ¹³ several invoices, several shipments. So number. They may be searchable by ¹⁴ pickers are assigned batches. And then invoice number. They may be searchable 15 they go to the locations of the products, by item code. ¹⁶ and they pick the product, they put it in Q. What about -- so by a physician or a practitioner? ¹⁷ a tote or box that is specified for that A. Account, yes -- by the ¹⁸ order. 18 19 In the case of controlled account number, yes. 20 Q. And what kind of information ²⁰ substances, either the box will travel is in the JD Edwards system as it relates 21 into the drug room, or if it's only a ²² controlled substance, then the whole solely to controlled substances? 23 MR. McDONALD: Object to the ²³ order, the batch will go directly to the ²⁴ drug room to be completed. form. Page 79 Page 81 Q. So these systems are THE WITNESS: So to my ² designed to track the intake and the understanding, JD is the sales ³ movement of controlled substances within management -- the transaction management system. So it will be ⁴ the distribution center? 5 MR. McDONALD: Object to the the transaction side. 6 BY MR. MIGLIORI: form. BY MR. MIGLIORI: Q. Now, are the transactions Q. That is, the people and the different from the distribution records places where the controlled substances from the warehouse control system? Are are being moved while they're in the they two separate databases of position -- distribution center? transactions? 12 MR. McDONALD: Object to the A. So JDE, it's a different 13 system than WCS. form. 14 THE WITNESS: Well, I will Q. And but each would record a portion at least of the order and 15 say that at a very big level they processing of each transaction, correct? are much more complex. But again, 16 16 17 17 big picture, it will be inventory A. That is my understanding. control and things like that. 18 O. So if I have a record or a field for a Dr. Smith in Summit County, 19 BY MR. MIGLIORI: 20 Q. So would every order, for Ohio, for placing an order, I'd be able ²¹ example, from the state of Ohio be to find that order both in the warehouse ²² recorded somewhere in the warehouse control system or the warehouse ²³ management system, as well as in the JD ²³ control system and/or the warehouse ²⁴ maintenance system? ²⁴ Edwards system?

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	Page 82 Page
¹ MR. McDONALD: Object to	
² form.	look at the order.
³ BY MR. MIGLIORI:	³ BY MR. MIGLIORI:
Q. Correct?	Q. Okay. So if an order gets
⁵ MR. McDONALD: Object to	· · · · · · · · · · · · · · · · · · ·
⁶ form.	⁶ already passed through the suspicious
⁷ THE WITNESS: At the time	2 3
8 that the order has been that's	8 A. Yes.
being processed and through the	⁹ Q. What about the JD Edwards
recordkeeping time.	¹⁰ system, those transaction records? For
¹¹ BY MR. MIGLIORI:	11 it to show up in the JD Edwards system,
Q. Where would the pended	would it already have passed through the
¹³ orders be stored? What system would	
¹⁴ pended orders show up in?	MR. McDONALD: Object to the
A. I'm not sure if it's a	¹⁵ form.
¹⁶ different system.	THE WITNESS: I'm sorry, I
Q. Okay. Where would an order	er was a little distracted. Could
¹⁸ pend? Would an order would it per	nd at 18 you repeat?
19 the warehouse control system? Or wo	ould 19 BY MR. MIGLIORI:
20 it pend at the transactional level in the	e Q. Sure.
²¹ JD Edwards system? In other words,	where 21 So the transactional records
²² would the actual trigger occur?	²² for that same order that we just
A. Would pend would be	²³ discussed, a doctor in Summit County
24 pended by the suspicious order monit	oring 24 making an order in 2010, will that order
	8 8 1 1 1 1 1 1 1 1
	Page 83 Page
¹ system. My point was, I'm not sure w	Page 83 Page There 1 pass through the suspicious order
 system. My point was, I'm not sure w that SOM resides and what part of the 	Page 83 Page Phere phere phere monitoring system before it gets to the
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1	Page 86	Т	Page 88
	_	1	_
	proceeded to eliminate specific primary	2	THE WITNESS: I'm not sure
3	and secondary contact names. So this is a revision of an	3	that that's the case.
		4	DI MIK. MIOLIOKI.
	existing records retention policy,	_	Q. Well, this is the document
5	correct?	5	retention policy of Henry Schein,
7	A. Yes. Revision of	7	correct?
8	Revision 2.	_	A. Correct.
0	Q. It seems to be Revision 3,	8	Q. And this section lists the
10	but I maybe I'm reading it wrong.	9	different departments and the records
	MR. McDONALD: He says it's		that they maintain, correct? Am I
11	a he said it's a revision of	12	misreading this?
12	Revision 2.		A. The records that we will be
	BY MR. MIGLIORI:		responsible to produce, I don't know that
14	Q. Oh, okay. It's a revision		we will be responsible to maintain the
15	of Revision 2. Gotella. Thank you.		system.
16	The original, January 30,	16	Q. Well, if you look at the
17	2002, that's the original policy,		if you look at the top of Page 262 or
	correct?		page I think it's hard to tell what
19	A. Yes.		it says here.
20	Q. By reading that date, does	20	It says, "Record retention
	that mean that the record retention		slash contact reference guide."
22	policy that's referred to in this	22	MR. McDONALD: He's not with
23	standard operation operating procedure	23	you, Don.
24	was first documented on January 30, 2002?	24	There you go.
	Page 87		Page 89
1	A. That is correct.	1	THE WITNESS: Okay.
2	Q. All right. I want to bring	2	BY MR. MIGLIORI:
3	your attention to so if you look at		
	your attention to so if you look at	3	Q. This section is the record
4	the Bates page that ends in 266?		Q. This section is the record retention, not record produced section.
5	· ·		
	the Bates page that ends in 266?		retention, not record produced section.
5	the Bates page that ends in 266? A. 266.	4 5	retention, not record produced section. Do you see that? A. Record retention contact
5	the Bates page that ends in 266? A. 266. Q. It's actually Page 6 of the	4 5 6	retention, not record produced section. Do you see that? A. Record retention contact
5 6 7	the Bates page that ends in 266? A. 266. Q. It's actually Page 6 of the standard operating procedure.	4 5 6 7	retention, not record produced section. Do you see that? A. Record retention contact reference.
5 6 7 8	the Bates page that ends in 266? A. 266. Q. It's actually Page 6 of the standard operating procedure. A. Okay.	4 5 6 7 8	retention, not record produced section. Do you see that? A. Record retention contact reference. Q. And and going back to
5 6 7 8 9	the Bates page that ends in 266? A. 266. Q. It's actually Page 6 of the standard operating procedure. A. Okay. Q. It says, "For regulatory	4 5 6 7 8 9	retention, not record produced section. Do you see that? A. Record retention contact reference. Q. And and going back to regulatory affairs, under the record
5 6 7 8 9	the Bates page that ends in 266? A. 266. Q. It's actually Page 6 of the standard operating procedure. A. Okay. Q. It says, "For regulatory affairs, the primary contact would be the	4 5 6 7 8 9 10	retention, not record produced section. Do you see that? A. Record retention contact reference. Q. And and going back to regulatory affairs, under the record retention it says, "The record of regulatory affairs includes product
5 6 7 8 9 10 11 12	the Bates page that ends in 266? A. 266. Q. It's actually Page 6 of the standard operating procedure. A. Okay. Q. It says, "For regulatory affairs, the primary contact would be the regulatory affairs supervisor." And then it says records, and it lists a bunch of	4 5 6 7 8 9 10	retention, not record produced section. Do you see that? A. Record retention contact reference. Q. And and going back to regulatory affairs, under the record retention it says, "The record of regulatory affairs includes product distribution history."
5 6 7 8 9 10 11 12	the Bates page that ends in 266? A. 266. Q. It's actually Page 6 of the standard operating procedure. A. Okay. Q. It says, "For regulatory affairs, the primary contact would be the regulatory affairs supervisor." And then it says records, and it lists a bunch of different records for regulatory affairs.	4 5 6 7 8 9 10 11 12 13	retention, not record produced section. Do you see that? A. Record retention contact reference. Q. And and going back to regulatory affairs, under the record retention it says, "The record of regulatory affairs includes product distribution history." That's what you signed off
5 6 7 8 9 10 11 12 13 14	the Bates page that ends in 266? A. 266. Q. It's actually Page 6 of the standard operating procedure. A. Okay. Q. It says, "For regulatory affairs, the primary contact would be the regulatory affairs supervisor." And then it says records, and it lists a bunch of different records for regulatory affairs. It says product distribution	4 5 6 7 8 9 10 11 12 13	retention, not record produced section. Do you see that? A. Record retention contact reference. Q. And and going back to regulatory affairs, under the record retention it says, "The record of regulatory affairs includes product distribution history." That's what you signed off on in March of 2003, correct?
5 6 7 8 9 10 11 12 13 14 15	the Bates page that ends in 266? A. 266. Q. It's actually Page 6 of the standard operating procedure. A. Okay. Q. It says, "For regulatory affairs, the primary contact would be the regulatory affairs supervisor." And then it says records, and it lists a bunch of different records for regulatory affairs. It says product distribution history. Is the regulatory affairs	4 5 6 7 8 9 10 11 12 13 14	retention, not record produced section. Do you see that? A. Record retention contact reference. Q. And and going back to regulatory affairs, under the record retention it says, "The record of regulatory affairs includes product distribution history." That's what you signed off
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5 6 7 8 9 10 11 12 13 14 15 16	the Bates page that ends in 266? A. 266. Q. It's actually Page 6 of the standard operating procedure. A. Okay. Q. It says, "For regulatory affairs, the primary contact would be the regulatory affairs supervisor." And then it says records, and it lists a bunch of different records for regulatory affairs. It says product distribution history. Is the regulatory affairs department responsible for the product distribution history, including	4 5 6 7 8 9 10 11 12 13 14 15	retention, not record produced section. Do you see that? A. Record retention contact reference. Q. And and going back to regulatory affairs, under the record retention it says, "The record of regulatory affairs includes product distribution history." That's what you signed off on in March of 2003, correct? MR. McDONALD: Object to the form. BY MR. MIGLIORI:
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Page 90	Page 92
¹ A. It is a record that the	¹ longer responsible for customer purchase
² regulatory affairs department will be	² history for controlled substances only in
	,
responsible to produce.	³ the regulatory affairs department, was
Q. To produce to whom:	that moved in an SOP to your knowledge? Ladon't know
5 A. Well, we will go to whatever	A. I don't know.
⁶ system, whatever process we had	⁶ Q. It says that the regulatory
⁷ somebody will request it. Then we will	⁷ affairs department would be required to
⁸ go to the system. We will type a query	⁸ produce product recall information?
⁹ or whatever was the procedure.	⁹ A. That is correct.
10 Q. Okay.	Q. Regulatory affairs would be
A. And then get a report, and	¹¹ required to produce government inquiries,
¹² that's your record.	12 is that true?
Q. Are you responsible for	A. At that point, it was.
¹⁴ making sure that it's maintained and	Q. Did that change?
15 secure within your department?	A. That process has changed.
A. Again, it is maintained in	Q. When?
¹⁷ the system. So we have IT security, IT	A. I don't remember when.
18 management that are responsible to make	Q. To whom? Who is now
19 sure that everything is the is in the	19 responsible to produce government
²⁰ system is kept correctly and secure.	20 inquiries?
Q. Okay. And the regulatory	A. Now it is an effort between
²² affairs department, part of the record	verifications, regulatory with copy to
would be customer purchasing history for	23 legal.
²⁴ controlled substances only. That was	Q. What about DEA inquiries
controlled substances only. That was	Q. What about DEA inquiries
Page 91	Page 93
Page 91 1 maintained or the responsibility of the	Page 93 1 into doctor prescribing habits, would
¹ maintained or the responsibility of the	¹ into doctor prescribing habits, would
 maintained or the responsibility of the regulatory affairs department to produce, 	 into doctor prescribing habits, would that be considered a government inquiry?
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_	Page 94		Page 9
1	Q. Is that in JD Edwards?	1	all.
2	MR. McDONALD: Object to the	2	MR. MIGLIORI: We haven't.
3	form. If you know tell him, but	3	That's why I'm smiling.
4	don't guess.	4	BY MR. MIGLIORI:
5	THE WITNESS: I don't know.	5	Q. You don't know where the
6	BY MR. MIGLIORI:	6	government inquiries would be recorded
7	Q. Okay. That's	7	and documented in the system, correct?
8	MR. McDONALD: And, Sergio,	8	A. I'm not sure what the office
9	this is true throughout. If you	9	of record is for that documentation.
LO	tell him an answer, he's going to	10	Q. One of the beauties of this
1	assume that's true and that's		document is you signed it, and you wrote
L2	actual factual. If you don't	12	it. So I'm just trying to understand
. 3	know, then tell him that you don't	13	what you understand this to mean. There
L4	know. He doesn't want you to	14	is a government inquiries record referred
.5	guess.	15	to in an SOP that you literally signed
6	MR. MIGLIORI: That's a	16	off on.
.7	substantial I'll accept it.	17	And I'm trying to
.8	MR. McDONALD: You don't	18	understand, one, what is a government
9	want him to guess. You don't want	19	inquiry as it relates to controlled
0.2	him to guess, do you?	20	substances, and two, where would you find
21	MR. MIGLIORI: And I asked	21	it?
22	him in the beginning.	22	A. Okay.
23	MR. McDONALD: Right.	23	Q. So let's start with the
24	MR. MIGLIORI: But I don't	24	first part. The government inquiries, as
	Page 95		Page 9
1	need a	1	it relates to controlled substances.
2	MR. McDONALD: And he was		What would those be, to your knowledge?
3	he was	3	A. It would be a subpoena for
4	MR. MIGLIORI: I don't	4	records.
5	need	5	Q. Okay. And would that
6	MR. McDONALD:	6	include transactional records that the
7	hesitating.	7	
8	MR. MIGLIORI: You know what	8	physician?
9	I'm saying.	9	A. Yes.
.0	MR. McDONALD: You and I	10	Q. And would it be the practice
.1	both know that he was hesitating	11	of Henry Schein to maintain that
.2	and about to guess.	12	subpoena?
.3	MR. MIGLIORI: And I agree	13	A. Yes.
.4	with the instruction. And we can	14	Q. If there were a letter from
.5		15	a DEA field office or the DOJ asking for
.6	stipulate that it doesn't have to be made again. Fair?	16	information voluntarily, would you
.7	MR. McDONALD: Unless I feel	17	maintain that letter as well?
. 8		18	
.9	like he's about ready to guess	19	MR. McDONALD: Object to the
20	again.	20	form.
21	MR. MIGLIORI: Just try not		THE WITNESS: At the point
5.1	to coach. We've had plenty of	21	of this SOP being written,
	issues with that.	22	regulatory would have.
22	AD A DOMAID II	100	DVIAD MICHARY
22 23 24	MR. McDONALD: You and I haven't had very many issues at	23	BY MR. MIGLIORI: Q. Okay. And you said at some

	Page 98		Page 100
	point, that may have changed to	1	222 forms?
2	verifications?	2	A. No.
3	A. I said at some point it was	3	Q. And the sales and return or
4	changed, that the process includes	4	the 222 forms, did they apply to
5	verifications, regulatory, with copy to	5	controlled substances?
6	legal.	6	A. The 222 forms required for
7	Q. Okay. And so at some point	7	Schedule II controlled substances.
8	it's not maintained just by regulatory,	8	Q. Okay. And so at least at
9	but three different departments would	9	this time in 2003, that was the
10	have that record somewhere	10	responsibility of the verification
11	MR. McDONALD: Objection.		department to produce, if requested,
12	BY MR. MIGLIORI:	12	correct?
13	Q or access to that record	13	A. Correct.
14	somewhere, correct?	14	Q. Did it remain the
15	MR. McDONALD: Object to the	15	verifications' responsibility through
16	form.		till today?
17	THE WITNESS: I didn't say	17	A. Yes.
18	that. I said that the effort to	18	Q. How about suspicious
19	put that information together will	19	monitoring monthly reports? Are those
20	be shared. I said I don't really	20	
21	know where that record is	21	department in 2003, or did they were
22	maintained, what is the office of	1	they the department responsible for
23	record for that record for right		producing them?
24	now.	24	A. They were the primary
			The They were the primary
	Page 99		Page 101
	BY MR. MIGLIORI:		responsible for producing them.
2	BY MR. MIGLIORI: Q. All right. And we don't	2	responsible for producing them. Q. Do they is that still
3	BY MR. MIGLIORI: Q. All right. And we don't have to talk about the other ones.	3	responsible for producing them. Q. Do they is that still true today?
3 4	BY MR. MIGLIORI: Q. All right. And we don't have to talk about the other ones. If you go to the previous	3 4	responsible for producing them. Q. Do they is that still true today? MR. McDONALD: Objection.
2 3 4 5	BY MR. MIGLIORI: Q. All right. And we don't have to talk about the other ones. If you go to the previous page, verifications has a list of records	2 3 4 5	responsible for producing them. Q. Do they is that still true today? MR. McDONALD: Objection. THE WITNESS: We don't
3 4	BY MR. MIGLIORI: Q. All right. And we don't have to talk about the other ones. If you go to the previous page, verifications has a list of records in your SOP here. And in verifications,	2 3 4 5 6	responsible for producing them. Q. Do they is that still true today? MR. McDONALD: Objection. THE WITNESS: We don't Sorry. We don't produce
2 3 4 5 6 7	BY MR. MIGLIORI: Q. All right. And we don't have to talk about the other ones. If you go to the previous page, verifications has a list of records in your SOP here. And in verifications, 222 forms are the responsibility of the	2 3 4 5	responsible for producing them. Q. Do they is that still true today? MR. McDONALD: Objection. THE WITNESS: We don't Sorry. We don't produce those reports anymore.
2 3 4 5 6 7	BY MR. MIGLIORI: Q. All right. And we don't have to talk about the other ones. If you go to the previous page, verifications has a list of records in your SOP here. And in verifications, 222 forms are the responsibility of the verifications department in 2003,	2 3 4 5 6 7 8	responsible for producing them. Q. Do they is that still true today? MR. McDONALD: Objection. THE WITNESS: We don't Sorry. We don't produce those reports anymore. BY MR. MIGLIORI:
2 3 4 5 6 7 8	BY MR. MIGLIORI: Q. All right. And we don't have to talk about the other ones. If you go to the previous page, verifications has a list of records in your SOP here. And in verifications, 222 forms are the responsibility of the	2 3 4 5 6 7	responsible for producing them. Q. Do they is that still true today? MR. McDONALD: Objection. THE WITNESS: We don't Sorry. We don't produce those reports anymore. BY MR. MIGLIORI: Q. Did the monthly reports stop
2 3 4 5 6 7 8 9	BY MR. MIGLIORI: Q. All right. And we don't have to talk about the other ones. If you go to the previous page, verifications has a list of records in your SOP here. And in verifications, 222 forms are the responsibility of the verifications department in 2003, correct, return forms? A. Yes.	2 3 4 5 6 7 8	responsible for producing them. Q. Do they is that still true today? MR. McDONALD: Objection. THE WITNESS: We don't Sorry. We don't produce those reports anymore. BY MR. MIGLIORI: Q. Did the monthly reports stop after the 2017 master's decision or some
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2 3 4 5 6 7 8 8 9 10 11 12 13 14 15 16 17 18 19	BY MR. MIGLIORI: Q. All right. And we don't have to talk about the other ones. If you go to the previous page, verifications has a list of records in your SOP here. And in verifications, 222 forms are the responsibility of the verifications department in 2003, correct, return forms? A. Yes. Q. In fact, that was one of that was your job title at this point in time, correct, returns? A. No. I wasn't in returns at that point. Q. In 2003? A. I was in regulatory affairs in 2003. Q. Okay. But this was your	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	responsible for producing them. Q. Do they is that still true today? MR. McDONALD: Objection. THE WITNESS: We don't Sorry. We don't produce those reports anymore. BY MR. MIGLIORI: Q. Did the monthly reports stop after the 2017 master's decision or some time before that, or was that the 2010 enhancement? MR. McDONALD: Object to the form. THE WITNESS: I don't remember when it stopped. BY MR. MIGLIORI: Q. After the monthly reporting and so there was a period of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	BY MR. MIGLIORI: Q. All right. And we don't have to talk about the other ones. If you go to the previous page, verifications has a list of records in your SOP here. And in verifications, 222 forms are the responsibility of the verifications department in 2003, correct, return forms? A. Yes. Q. In fact, that was one of that was your job title at this point in time, correct, returns? A. No. I wasn't in returns at that point. Q. In 2003? A. I was in regulatory affairs in 2003. Q. Okay. But this was your department before that, correct? You	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	responsible for producing them. Q. Do they is that still true today? MR. McDONALD: Objection. THE WITNESS: We don't Sorry. We don't produce those reports anymore. BY MR. MIGLIORI: Q. Did the monthly reports stop after the 2017 master's decision or some time before that, or was that the 2010 enhancement? MR. McDONALD: Object to the form. THE WITNESS: I don't remember when it stopped. BY MR. MIGLIORI: Q. After the monthly reporting and so there was a period of time at Henry Schein where suspicious orders were gathered and reported on a
2 3 4 4 5 6 6 7 8 8 9 10 11 12 13 14 15 16 17 18 19 20 21	BY MR. MIGLIORI: Q. All right. And we don't have to talk about the other ones. If you go to the previous page, verifications has a list of records in your SOP here. And in verifications, 222 forms are the responsibility of the verifications department in 2003, correct, return forms? A. Yes. Q. In fact, that was one of that was your job title at this point in time, correct, returns? A. No. I wasn't in returns at that point. Q. In 2003? A. I was in regulatory affairs in 2003. Q. Okay. But this was your department before that, correct? You would have handled 222 forms when you	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	responsible for producing them. Q. Do they is that still true today? MR. McDONALD: Objection. THE WITNESS: We don't Sorry. We don't produce those reports anymore. BY MR. MIGLIORI: Q. Did the monthly reports stop after the 2017 master's decision or some time before that, or was that the 2010 enhancement? MR. McDONALD: Object to the form. THE WITNESS: I don't remember when it stopped. BY MR. MIGLIORI: Q. After the monthly reporting and so there was a period of time at Henry Schein where suspicious orders were gathered and reported on a monthly basis to the DEA field office,
2 3 4 4 5 6 6 7 8 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	BY MR. MIGLIORI: Q. All right. And we don't have to talk about the other ones. If you go to the previous page, verifications has a list of records in your SOP here. And in verifications, 222 forms are the responsibility of the verifications department in 2003, correct, return forms? A. Yes. Q. In fact, that was one of that was your job title at this point in time, correct, returns? A. No. I wasn't in returns at that point. Q. In 2003? A. I was in regulatory affairs in 2003. Q. Okay. But this was your department before that, correct? You would have handled 222 forms when you were in the returns department?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	responsible for producing them. Q. Do they is that still true today? MR. McDONALD: Objection. THE WITNESS: We don't Sorry. We don't produce those reports anymore. BY MR. MIGLIORI: Q. Did the monthly reports stop after the 2017 master's decision or some time before that, or was that the 2010 enhancement? MR. McDONALD: Object to the form. THE WITNESS: I don't remember when it stopped. BY MR. MIGLIORI: Q. After the monthly reporting and so there was a period of time at Henry Schein where suspicious orders were gathered and reported on a monthly basis to the DEA field office,

Highly Confidential - Subject to	
Page 102	Page 104
form.	¹ MR. McDONALD: Object to the
THE WITNESS: Do you mean	² form.
the report of orders pended and	³ THE WITNESS: No. I don't
4 not released?	4 remember the process not being
⁵ BY MR. MIGLIORI:	5 compliant with the DEA
⁶ Q. I'm actually actually	⁶ requirements.
⁷ just using your words in your document.	⁷ BY MR. MIGLIORI:
⁸ There was a period of time when	⁸ Q. So as you sit here today as
⁹ suspicious monitoring monthly reports	⁹ the director of regulatory affairs, you
¹⁰ A. Yes.	¹⁰ cannot recall whether or not it was ever
Q were submitted to the DEA	¹¹ acceptable to report suspicious orders on
¹² field office on a monthly basis, correct?	¹² a monthly basis and not when discovered?
A. Correct.	MR. McDONALD: Object to the
Q. Not when the suspicious	14 form.
¹⁵ orders were discovered, correct?	THE WITNESS: For a period
A. Correct.	of time it was industry-based
Q. And that was changed as a	practices and the DEA did accept
18 result of Buzzeo consulting with Henry	that.
¹⁹ Schein and coming up with an I think	19 BY MR. MIGLIORI:
²⁰ you referred to it as an enhanced	Q. The the DEA accepted
suspicious order monitoring program that	21 that.
²² was implemented sometime in 2009,	Did a DEA person tell you
²³ correct?	that that was acceptable ever?
MR. McDONALD: Object to the	A. Not personally.
Page 103	Page 105
¹ form.	1 Q. No?
THE WITNESS: I'm sorry.	A. But as a matter of fact, we
The question was kind of long,	³ just got a communication maybe less than
4 SO	4 two months ago of some one local
⁵ BY MR. MIGLIORI:	⁵ office requesting that type of
6 Q. This change in this monthly	6 information.
⁷ reporting occurred as a result of Buzzeo	⁷ Q. Okay. Did you get the 2007
8 consulting and advising you that it was	8 letters from Joe Rannazzisi, did you see
9 noncompliant to report to the DEA on a	9 those letters from the DEA in 2007 when
monthly basis suspicious orders, correct?	they when they arrived in 2006 and
MR. McDONALD: Object to the	11 2007?
form.	$\begin{array}{cccccccccccccccccccccccccccccccccccc$
THE WITNESS: I don't	13 December 2007 letter.
remember when we discontinued the	Q. Did you understand those
15 report.	15 letters when you received them?
I SDOIL.	icuers when you received them?
	16 A We did review the letters
¹⁶ BY MR. MIGLIORI:	A. We did review the letters.
 BY MR. MIGLIORI: Q. Do you know if it was before 	Q. I didn't ask if you reviewed
 BY MR. MIGLIORI: Q. Do you know if it was before 2009? 	Q. I didn't ask if you reviewed them. Did you understand them?
 BY MR. MIGLIORI: Q. Do you know if it was before 2009? A. I don't remember. 	Q. I didn't ask if you reviewed them. Did you understand them? A. Yes.
 BY MR. MIGLIORI: Q. Do you know if it was before 2009? A. I don't remember. Q. Okay. But you understand 	Q. I didn't ask if you reviewed them. Did you understand them? A. Yes. Q. Okay. Did you change your
 BY MR. MIGLIORI: Q. Do you know if it was before 2009? A. I don't remember. Q. Okay. But you understand that that process of monthly reporting 	Q. I didn't ask if you reviewed them. Did you understand them? A. Yes. Q. Okay. Did you change your monthly suspicious monitoring reporting
 BY MR. MIGLIORI: Q. Do you know if it was before 2009? A. I don't remember. Q. Okay. But you understand that that process of monthly reporting was at some point terminated because it 	Q. I didn't ask if you reviewed them. Did you understand them? A. Yes. Q. Okay. Did you change your monthly suspicious monitoring reporting to a system where you now reported pended
16 BY MR. MIGLIORI: 17 Q. Do you know if it was before 18 2009? 19 A. I don't remember. 20 Q. Okay. But you understand 21 that that process of monthly reporting	Q. I didn't ask if you reviewed them. Did you understand them? A. Yes. Q. Okay. Did you change your monthly suspicious monitoring reporting

	Daga 106	T 1	Daga 100
1	Page 106	1	Page 108
2	basis?		Q. Do you are you familiar
3	MR. McDONALD: Object to the	1	with any microfilm storage of documents
4	form.	3	
	THE WITNESS: You mean based	5	Hemy Benefit.
5	ON		MR. McDONALD: Object to the
6	BY MR. MIGLIORI:	6	form.
′	Q. No, at any point. Did you		You mean currently?
9	change that system?	8	THE WITNESS: We no
	A. Yes.		MR. MIGLIORI: At any time.
10	Q. Is the verifications	10	For controlled substances.
11	department responsible for producing	11	THE WITNESS: We no longer
	licensing information for all of your		have microfilm.
	customers?	13	DT MIK. MIODIOKI.
14	A. They are responsible for	14	Q. Were you involved in any
15	maintaining and verifying the licensure	15	decisions to purge interorim records.
16	information for our customers.	16	A. No.
	Q. Okay. Including DEA	17	Q. Are you familiar with any
18	registration?	18	point in time when frem's senem decided
	A. Including DEA registrations.	20	to purge microfilm records?
20	Q. Is the verifications		A. No.
	department responsible for producing	21	Q. The ARCOS reporting, was
22	documents relating to the DEA NTIS tape?		that a record that was supposed to be
23	A. The DEA NTIS tape is part of		maintained and produced by the
24	our verifications system. It is a	24	verifications department?
	Page 107		Page 109
	ruge 107		1 age 109
1	service that we use.	1	MR. McDONALD: Object to the
1 2	service that we use. Q. Right. You and you	1 2	MR. McDONALD: Object to the form.
	service that we use. Q. Right. You and you and you download from that service for		MR. McDONALD: Object to the form. BY MR. MIGLIORI:
2	service that we use. Q. Right. You and you	3 4	MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. In 2003?
2	service that we use. Q. Right. You and you and you download from that service for each customer, correct? A. Yes.	2 3	MR. McDONALD: Object to the form. BY MR. MIGLIORI:
3 4	service that we use. Q. Right. You and you and you download from that service for each customer, correct?	2 3 4 5 6	MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. In 2003? MR. McDONALD: Object to the form.
2 3 4 5 6 7	service that we use. Q. Right. You and you and you download from that service for each customer, correct? A. Yes. Q. It's part of verifications, right?	2 3 4 5 6 7	MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. In 2003? MR. McDONALD: Object to the form. THE WITNESS: So the ARCOS
2 3 4 5 6 7 8	service that we use. Q. Right. You and you and you download from that service for each customer, correct? A. Yes. Q. It's part of verifications, right? A. Yes.	2 3 4 5 6 7 8	MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. In 2003? MR. McDONALD: Object to the form. THE WITNESS: So the ARCOS report is produced by the
2 3 4 5 6 7 8	service that we use. Q. Right. You and you and you download from that service for each customer, correct? A. Yes. Q. It's part of verifications, right? A. Yes. Q. And those records are the	2 3 4 5 6 7 8	MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. In 2003? MR. McDONALD: Object to the form. THE WITNESS: So the ARCOS report is produced by the verifications department based on
2 3 4 5 6 7 8 9	service that we use. Q. Right. You and you and you download from that service for each customer, correct? A. Yes. Q. It's part of verifications, right? A. Yes. Q. And those records are the responsibility of verifications	2 3 4 5 6 7 8	MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. In 2003? MR. McDONALD: Object to the form. THE WITNESS: So the ARCOS report is produced by the verifications department based on the system information.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	service that we use. Q. Right. You and you and you download from that service for each customer, correct? A. Yes. Q. It's part of verifications, right? A. Yes. Q. And those records are the responsibility of verifications department to produce, correct? A. Correct. Q. The customer licenses and DEA microfilm, that was required to be produced as a record of the verifications department, correct? A. Correct. Q. And that contained	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. In 2003? MR. McDONALD: Object to the form. THE WITNESS: So the ARCOS report is produced by the verifications department based on the system information. BY MR. MIGLIORI: Q. And is that still true today? A. Yes. Q. Go to the last pages. MR. McDONALD: Which page? MR. MIGLIORI: It ends in 269.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	service that we use. Q. Right. You and you and you download from that service for each customer, correct? A. Yes. Q. It's part of verifications, right? A. Yes. Q. And those records are the responsibility of verifications department to produce, correct? A. Correct. Q. The customer licenses and DEA microfilm, that was required to be produced as a record of the verifications department, correct? A. Correct. Q. And that contained information about including customer	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. In 2003? MR. McDONALD: Object to the form. THE WITNESS: So the ARCOS report is produced by the verifications department based on the system information. BY MR. MIGLIORI: Q. And is that still true today? A. Yes. Q. Go to the last pages. MR. McDONALD: Which page? MR. MIGLIORI: It ends in 269. BY MR. MIGLIORI:
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Page 110 ¹ retention in years next to each one of ¹ is a combination of. We have implemented ² a controlled substance ordering system. ² those items. So for the 222 forms, sales ³ and returns, it says, "Control drug point ³ So some customers may still order using ⁴ person verification five-year retention ⁴ 222 forms. Some customers order using ⁵ file copy." ⁵ CSOS. What does file copy mean Q. And those are maintained by under retrieval? the verifications department today? A. The 222 forms? 8 A. Hardcopy. Q. So -- so at this point, Q. Yes. those 222 forms were maintained as hard 10 10 A. Yes. 11 Q. Okay. Does verifications 11 copies? 12 still maintain the -- the current A. Yes. 13 Q. Is there a file room for suspicious monitoring reporting, not the 14 those hard copies? Where would you go monthly, but the current reporting for those hard copies? system? 16 16 A. I will go to the A. The current reporting system verifications department. 17 is shared. Verifications will report 18 Q. Okay. And are they still some suspicious orders, regulatory will maintained in hardcopy? report some others. 19 20 MR. McDONALD: Well, can --20 Q. Based on what? 21 21 I'd like to clarify the record. A. Based on who did the review. 22 You said so at this point. Did ²² Based on what type of restriction it 23 you mean today or did you mean at 23 wants. 24 the time of this document? Q. Is it fair to say that the Page 111 Page 113 1 MR. MIGLIORI: Well, first I percentage of review would be what we 2 ² discussed earlier, that -- that -- about said at this point, and now I said 3 I said still today. ³ 85 to 88 percent of the suspicious ⁴ reporting is managed at the verifications 4 MR. McDONALD: Okay. I just 5 want to be sure that when he ⁵ level and the balance, 12 to 15 percent, ⁶ is managed at the regulatory affairs 6 answered at this point, he 7 meant -- he understood you to say ⁷ department level? 8 at the time this document was A. You mean that verifications, 9 when it comes to regulatory, is about prepared. 10 That's how you were 15 percent of the volume, yes. 11 11 answering the question. I just Q. Okay. On the last page it 12 talks about the document retention and want it to be clear. 13 13 regulatory affairs. And it says that the MR. MIGLIORI: Sure. 14 THE WITNESS: Right, so product distribution history is in the 15 JDE system and it's to be maintained for at -- at the time this document 16 was produced, the 222 forms, 16 ten years. 17 17 verifications was responsible to Do you see that? 18 produce them to maintaining. 18 A. I see that. 19 That's --19 Q. And that's for controlled substances as well, correct? BY MR. MIGLIORI: 21 Q. My question is today, are 21 A. That was mainly for recall, ²² 222 forms maintained as hard copies to product recall purposes. your knowledge? Q. Okay. The next one says, 24 ²⁴ "Customer purchase history for controlled A. To my knowledge I think it

	by further confidentiality Review
Page 114	Page 110
substances only, has controlled purchases	¹ records.
by DEA number (report), WCS" that's	Q. Okay. And do you know when
3 the warehouse control system "for ten	3 that order was implemented relative to
4 years."	4 this type of information for controlled
That's how long the record	⁵ substances?
6 retention program was for customer	6 MR. McDONALD: You mean the
⁷ purchase history in 2003?	7 litigation document hold?
8 A. That is correct.	8 MR. MIGLIORI: Mm-hmm.
⁹ Q. Is that still the record	9 MR. McDONALD: You just said
10 retention policy?	order. He looked puzzled by what
A. Record retention policy	you meant by that.
¹² right now for controlled substances,	THE WITNESS: Yeah, the
because of the Drug Quality and Security	document hold, I don't remember
¹⁴ Act has been revised.	exactly.
Q. And what is it now?	¹⁵ BY MR. MIGLIORI:
A. Six years.	Q. If you were to go right now
Q. And when did that change?	¹⁷ and go look at the orders in Ohio of
A. I don't remember.	¹⁸ controlled substances, where would you
Q. And the basis for that was	19 go?
which statute?	²⁰ A. Well, I could ask
A. Drug Quality and Security	²¹ verifications to run a report.
²² Act.	²² (Document marked for
Q. And so did it reduce from	identification as Exhibit
²⁴ ten to six as a result of that act?	Henry Schein-Tejeda-5.)
Page 115	Page 11
¹ A. So I know that today, that	¹ BY MR. MIGLIORI:
² is the record retention. I don't know	² Q. I'm going to show you
³ when this changed.	³ Exhibit 5. Does that look like a report
⁴ Q. Okay. If there is	4 that you might get out of verifications?
⁵ litigation, is that handled or is that	5 A. Yes.
⁶ dealt with in the Schein document	⁶ Q. It doesn't come out
⁷ retention program relative to this type	⁷ strike that.
8 of purchase history?	8 This has a title that's been
9 MR. McDONALD: Object to the	⁹ added for purposes of this litigation.
10 form.	Do you see that on top, Schein Summit
THE WITNESS: I'm sorry. I	¹¹ County customers?
don't understand the question.	12 A. Yes.
13 BY MR. MIGLIORI:	Q. And it has opioid orders
Q. Sure. Have you been asked	14 from 2001 to 2008.
15 not to purge or destroy any records	Do you see that?
16 relevant to customer purchase history	16 A. Yes.
¹⁷ during the pendency of this litigation?	Q. Who would put that
asims the pendency of this infation.	18 information on top of an Excel
18 A Yes	information on top of all Exect
11. 105.	19 spreadsheet like this?
Q. And that would include these	spreadsheet like this? MR McDONALD: Object to the
Q. And that would include these types of documents here, correct, the	MR. McDONALD: Object to the
Q. And that would include these types of documents here, correct, the controlled purchases by DEA number of	MR. McDONALD: Object to the form.
Q. And that would include these types of documents here, correct, the controlled purchases by DEA number of Schein customers, correct?	MR. McDONALD: Object to the form. BY MR. MIGLIORI:
Q. And that would include these types of documents here, correct, the controlled purchases by DEA number of	MR. McDONALD: Object to the form.

Page 118 Page 120 ¹ prepare this report. information, I want to understand Q. What does this report what his recollection or knowledge ³ demonstrate? Take Line 1 and walk me is of it. And he can limit it, ⁴ through it. obviously, to what he knows. ⁵ BY MR. MIGLIORI: Is this a -- is this a ⁶ purchase history? Is this a product Q. But if you look at ⁷ distribution history? Is this one of the Exhibit 5, Mr. Tejeda, what is this, as ⁸ documents that comes out of the warehouse best you can tell as director of ⁹ control system? Or does it come out of regulatory affairs at Henry Schein? ¹⁰ the JD Edwards system? Tell me what you A. It's a report that was ¹¹ can tell me from looking at this produced as a request of information for 12 ¹² Exhibit 5. this litigation. 13 Q. So as I'm looking at this MR. McDONALD: Object to the 14 form. Lack of foundation. Exhibit 5, this is not a document that's 15 kept in this form, correct? This is a MR. MIGLIORI: I'll 16 query in a report of things that were stipulate that there's a lack of 17 particularly asked for. Is that a fair foundation. That's why I'm trying 18 to figure out what the heck this statement? 19 19 A. That is my understanding. thing says. 20 20 Q. Okay. And so somebody came MR. McDONALD: Well, and 21 up with parameters of what to put into with all due respect, Don, I don't 22 think he's the guy to do it. this Excel spreadsheet, and these are the ²³ different fields that were requested, 23 MR. MIGLIORI: Well, I just 24 got it this weekend. So I don't ²⁴ correct? Page 119 Page 121 have any more depositions to find 1 A. Yes. 2 out. Q. And can you tell by looking 3 MR. McDONALD: Well, you ³ at this where these fields come from; 4 know, Don, as I have told your ⁴ that is, which system this reporting 5 colleagues, if there's some issue comes out of? 6 with documents that were recently MR. McDONALD: Again, object 7 to the form. Lack of foundation. produced that's --8 MR. MIGLIORI: We'll get to THE WITNESS: I can't. 9 BY MR. MIGLIORI: it. 10 MR. McDONALD: I know. Let 10 Q. Okay. And if you were to 11 ask for the opioid orders from 2001 to 11 me finish because I want it clear 12 2008 as director of regulatory affairs, on the record. If there is some 13 ¹³ who would you ask for this information issue with documents that we 14 recently produced and the person 14 from? Who is required to produce it 15 under the Henry Schein retention program? that knows the most about it or MR. McDONALD: Object to the 16 16 can explain to you has already 17 17 been deposed, we're happy to have form. Assumes facts not in 18 18 a conversation with you to evidence. 19 19 facilitate that process. THE WITNESS: I would define 20 20 MR. MIGLIORI: I appreciate the parameters as far as what type 21 the offer. I want to understand, 21 of information were you looking 22 22 since he is responsible for this for, and I think I will ask the 23 type of information or the 23 verifications team for the report. 24 production of this type of ²⁴ BY MR. MIGLIORI:

Page 122 1 Q. Now, it says opioid orders. 2 And so as you go through it, it seems 3 like most of these are self 4 self-explanatory. But I can't tell how 5 this is organized; that is, the dates 6 aren't chronological. 7 Can you tell, in the 8 ordinary course of business, looking at a 9 sheet like this, how this may have been 10 organized? 11 MR. McDONALD: You mean how 12 it's sorted? 13 MR. MIGLIORI: Yeah. 1 A. Multiple references to the 2 name of the account or 3 Q. It says under mailing, but 4 it has a name. 5 A. Okay. Okay. 6 Q. Do you see where I am? 7 A. Adolph. 8 Q. Harper Junior. 9 A. Okay. 10 Q. And then it's got orders 11 that range from 2000 best I can tell, 12 2004 to 2008 over the next several page 13 MR. MIGLIORI: Yeah.	Page 124
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it's sorted? 12 2004 to 2008 over the next several page	
<u> </u>	
MR. MIGLIORI: Yeah. 2003. I see one entry of	ges.
14 0000	
14 BY MR. MIGLIORI: 14 2003.	
Q. I mean, the order dates are	
16 not chronological. The ordering Q. Do you know who Dr. Harpe	r
physicians are not repeat themselves. 17 is?	
18 So I'm just trying again, it seems 18 A. I don't.	
19 like the most it seems to be organized Q. Did you do anything to	
²⁰ in part by practitioner. But I'm just ²⁰ educate yourself on the amount of vol	ıme
21 trying to get a sense of how you would 22 Dr any of the doctors in Summit	0
²² read this. ²² County ordered in preparation for toda	ıy?
A. I would read that it seems 23 A. No, I didn't.	
²⁴ to be organized by practitioner by ²⁴ Q. Were you aware that	
Page 123	Page 125
¹ account.	
Q. Okay. And so did you review 2 dosage unit I'm sorry, by by he	
³ this in preparation for today?	er
⁴ A. No, I didn't. ⁴ of Henry Schein in Summit County?	
⁵ Q. Were you advised who would ⁵ MR. McDONALD: Object to	th.c
	ıne
⁶ request the certain fields of information ⁶ form.	tne
o request the certain fields of information 7 to be gathered and printed into this? 7 THE WITNESS: No, I can't	ıne
	tne
⁷ to be gathered and printed into this? ⁷ THE WITNESS: No, I can't	tne
 to be gathered and printed into this? Were you part of that process or know who THE WITNESS: No, I can't say he was. 	tne
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	Page 126		Page 12
1	Number 6.	1	for Harper on due diligence.
2	A. Yeah.	2	MR. McDONALD: Okay.
3	Q. This is Dr. Harper's this	3	MR. MIGLIORI: Do you have
4	is all I have for Dr. Harper's due	4	the rest in there?
	diligence. It's a printout of the screen	5	BY MR. MIGLIORI:
	shot of the due diligence file. That's	6	Q. I want you to, while he's
7	all that's been produced to me.	7	looking, to verify my comment.
8	A. Okay.	8	This screen shot may have
9	Q. I'm representing that to	9	been produced to me earlier. This is
10	you.	10	literally the entire file that I have for
11	MR. McDONALD: Well, I'll		Adolph Harper on due diligence.
12	represent to you that we told you	12	If we go through this screen
13	guys that we produced initial	13	shot you are familiar with this screen
14	screen shots for all these		
15		15	on the system, correct?
16	customers last week.	16	A. Not really.
17	MR. MIGLIORI: Right.	17	Q. Not really? Sort of?
18	And and you've produced to me		A. I know about the screen, but
	due diligence folders of due	19	I don't work on it.
19 20	diligence files or supported due		Q. All right. Well, you know
	diligence files months ago.	20	some of the initials of some of the
21	MR. McDONALD: Right.	21	people that work for you, confect.
22	MR. MIGLIORI: To date, all	22	A. That work for me, yes.
23	I have for Harper is this. That's	23	Q. Yeah.
24	all I'm representing.	24	A. Yes, I do know.
	Page 127		Page 12
1	MR. McDONALD: And there	1	Q. Do you know some of the
2	wasn't an additional screen shot	2	initials for people in the verifications
3	on Friday.	3	department, correct?
4	MR. MIGLIORI: This is	4	A. For some.
5	Friday's.	5	Q. Okay. If you look at the
6	MR. McDONALD: Okay.	6	second page, there are initials entered
7	MR. MIGLIORI: The only	7	
8	reason I'm doing this is because	8	Do you know who that
9	I'm I'm trying to understand	9	references in 2002?
10	what I got.	10	A. I'm sorry, I don't.
11	3	11	Q. How about above that,
12	Q. And if you look at this	12	Y. Mason? Do you know anybody named
13	Exhibit 6, this is the screen shot of	13	•
	Dr. Harper's due diligence file. Are you	14	A. No.
	± • • • • • • • • • • • • • • • • • • •	15	Q. On the first page, GS
15	tamiliar with the system where you can go		
	familiar with the system where you can go look at this inventory?	16	Stewart Is that familiar to you?
16	look at this inventory?	16 17	Stewart. 15 that ranning to you.
16 17	look at this inventory? MR. McDONALD: Well, Don, I	17	A. No, I'm sorry.
16 17 18	look at this inventory? MR. McDONALD: Well, Don, I hate to interrupt you, but based	17 18	A. No, I'm sorry.Q. Siebel, are you familiar
16 17 18 19	look at this inventory? MR. McDONALD: Well, Don, I hate to interrupt you, but based on the Bates number, I find it	17 18 19	A. No, I'm sorry.Q. Siebel, are you familiar with that name?
16 17 18 19 20	look at this inventory? MR. McDONALD: Well, Don, I hate to interrupt you, but based on the Bates number, I find it hard to believe that this was	17 18 19 20	A. No, I'm sorry.Q. Siebel, are you familiar with that name?A. I'm sorry. No.
16 17 18 19 20 21	look at this inventory? MR. McDONALD: Well, Don, I hate to interrupt you, but based on the Bates number, I find it hard to believe that this was Friday. Because it's 983.	17 18 19 20 21	 A. No, I'm sorry. Q. Siebel, are you familiar with that name? A. I'm sorry. No. Q. M-D-O-N-O-2. Do you know
17 18 19 20 21 22	look at this inventory? MR. McDONALD: Well, Don, I hate to interrupt you, but based on the Bates number, I find it hard to believe that this was Friday. Because it's 983. MR. MIGLIORI: I will stand	17 18 19 20 21 22	A. No, I'm sorry. Q. Siebel, are you familiar with that name? A. I'm sorry. No. Q. M-D-O-N-O-2. Do you know who that might be?
16 17 18 19 20 21	look at this inventory? MR. McDONALD: Well, Don, I hate to interrupt you, but based on the Bates number, I find it hard to believe that this was Friday. Because it's 983.	17 18 19 20 21	 A. No, I'm sorry. Q. Siebel, are you familiar with that name? A. I'm sorry. No. Q. M-D-O-N-O-2. Do you know

	igniy Confidential - Subject to	<i>J</i> 1	
	Page 130		Page 132
1	A. No. I I wouldn't tell	1	and how we maintain it, I can answer
2	I couldn't tell you who that identifies.	2	that.
3	Q. N-M-A-L-N-O. Do you know	3	Q. Well, light how I want to
4	who that might be?	4	know what you can tell me, if anything,
5	A. No.	5	about Dr. Harper. This is the
6	Q. D. Marin. Do you know who	6	A. I have no specifics for
7	that might be referencing?	7	Dr. Harper.
8	A. No.	8	Q. You can't read any of these
9	Q. How about D-B-L-A?	9	abbreviations and tell me that "letter on
10	A. No.	10	The pain meas, you don't know what that
11	Q. D. Hagan. Do you know who	11	reference is?
12	that is?	12	A. I will be guessing.
13	A. No.	13	Q. I don't want you to guess.
14	Q. T-H-A-R-R-2?	14	W/IV S/A X10. That means
15	A. I don't know what who	15	nothing to you?
16	that would identify.	16	71. I Know that the Wish.
17	Q. And how about R-S-W-A-I-M?	17	The Tis image. Tuest recall what v
18	Do you know who that might reference?	18	is.
19	A. No.	19	Q. Okay. Is there a document
20	Q. So you see that this is a	20	that's associated with that.
21	you understand from your knowledge of the	21	A. I don't know.
	system that this is a computer printout	22	Q. What is a 1-D-D-D letter: 1
	referencing certain due diligence steps	23	may have said too many Ds.
24	related to this particular doctor,	24	A. TDDD is an acronym for
		1	
	Page 131		Page 133
1	Page 131 correct, you understand that much?	1	_
1 2	Page 131 correct, you understand that much? A. I understand that this is a		terminal drug distributor or dangerous
2	correct, you understand that much? A. I understand that this is a		terminal drug distributor or dangerous drug distributor.
3	correct, you understand that much? A. I understand that this is a printout of customer service part of the	2	terminal drug distributor or dangerous drug distributor. Q. What does that mean?
2 3 4	correct, you understand that much? A. I understand that this is a printout of customer service part of the system that records some changes that	3 4	terminal drug distributor or dangerous drug distributor. Q. What does that mean? A. It's a license specific
2 3 4	correct, you understand that much? A. I understand that this is a printout of customer service part of the	3 4	terminal drug distributor or dangerous drug distributor. Q. What does that mean?
2 3 4 5 6	A. I understand that much? A. I understand that this is a printout of customer service part of the system that records some changes that were made in the system or some notes.	2 3 4 5	terminal drug distributor or dangerous drug distributor. Q. What does that mean? A. It's a license specific license issued by Ohio. Q. For what?
2 3 4 5 6	A. I understand that much? A. I understand that this is a printout of customer service part of the system that records some changes that were made in the system or some notes. Q. Okay. Each one of these	2 3 4 5 6 7	terminal drug distributor or dangerous drug distributor. Q. What does that mean? A. It's a license specific license issued by Ohio. Q. For what? A. For practitioners that
2 3 4 5 6 7	A. I understand that much? A. I understand that this is a printout of customer service part of the system that records some changes that were made in the system or some notes. Q. Okay. Each one of these notes should have a document associated	2 3 4 5 6 7	terminal drug distributor or dangerous drug distributor. Q. What does that mean? A. It's a license specific license issued by Ohio. Q. For what? A. For practitioners that
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. I understand that much? A. I understand that this is a printout of customer service part of the system that records some changes that were made in the system or some notes. Q. Okay. Each one of these notes should have a document associated with it, correct, in the system? MR. McDONALD: Object to the form. THE WITNESS: I don't know. BY MR. MIGLIORI: Q. As director of regulatory affairs, do you have any knowledge whatsoever of how you maintain your due diligence files? A. Absolutely. Q. So tell me how you maintain them for a doctor like Dr. Harper, given that in this litigation, this is what I have to go by? A. So I couldn't tell you about specifics on Dr. Harper. But if your	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	terminal drug distributor or dangerous drug distributor. Q. What does that mean? A. It's a license specific license issued by Ohio. Q. For what? A. For practitioners that handle controlled substances, if I remember correctly. Q. And is there a particular right or privilege that goes along with that Ohio distinction? A. They implemented that program to provide additional ordering privilege to practitioners, yes. Q. For what purpose? A. I will answer your question. May I ask you, the spelling of my right my last name is T-E-J-E-D-A. MR. MIGLIORI: You can make fun of the very kind woman who has been very patiently taking all of
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Highly Confiden		Further Confidentiality Review
1 Lapologize Rut	Page 134	Page 136
Tapologize. But		order number, correct?
that.		A. Concct.
	DD. Okay. Hank	Q. What does SO stand for?
you. I'm sorry, c	an you repeat	4 A. Sales order.
5 your question?		Q. What is a line reference?
⁶ BY MR. MIGLIORI:		6 A. I don't know.
⁷ Q. Is there a pa	iticulai ligiit	Q. Do you know what item number
8 or privilege that goes	_	8 reference is?
⁹ Ohio distinction of T		9 A. It's the SKU for the
	NALD: Object to the 10^{-10}	specific product.
11 form.		Q. Okay. There's a simp
¹² BY MR. MIGLIORI:		² number. Is there a separate tracking
Q. What's the p	-	³ number for shipment? What is ship?
¹⁴ privilege?	14	71. Ship humber is the ship to
		⁵ location.
16 form.	16	Q. So that's specific to this
	DD. I WIII Have to	⁷ doctor?
go back to the file		71. That is specific to that
the ins and out of		doctor.
²⁰ BY MR. MIGLIORI:		Q. And the one is the same
Q. If you were	_	number, and not specific to this doctor?
²² Exhibit Number 6 and		Ti. The simp is where we re
²³ of Dr. Harper, you'd b		shipping. The bill is where we send the
²⁴ an order number, com	rect? If you just	²⁴ invoices.
	Page 135	Page 137
¹ take the categories on	•	-
 take the categories on on Exhibit 6. 	top. I'm now back	_
	top. I'm now back	Q. Okay. The drug order class
² on Exhibit 6.	TALD: Oh,	Q. Okay. The drug order class of the controlled schedule?
 on Exhibit 6. MR. McDON different. He's or 	NALD: Oh, at this one.	 Q. Okay. The drug order class of the controlled schedule? A. The schedule. Q. How is that different from
 on Exhibit 6. MR. McDON different. He's or 	NALD: Oh, at this one. SSS: Exhibit 5?	 Q. Okay. The drug order class of the controlled schedule? A. The schedule. Q. How is that different from
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	D 400	Fu:	D 110
	Page 138		Page 140
	doctor's zip code and then there's a		Y MR. MIGLIORI:
2	number for a distribution center.	2	Q. Or of oxy?
3	Do you know which	3	MR. McDONALD: Object to the
	distribution center this is on Page 13	4	form.
5	that's referenced in all of these orders?	5	THE WITNESS: So you are
6	A. On Page 13?	6	looking at Page 3, right?
7	Q. Yep. I assume it's true		Y MR. MIGLIORI:
8	throughout. But I'm only looking on Page	8	Q. 13.
9	13 now. The distribution center	9	MR. McDONALD: 13.
10	A. So the distribution center,	10	THE WITNESS: I mean 13.
	there was a couple of them, right?		Y MR. MIGLIORI:
12	Q. I just see the ones that end	12	Q. I'm looking at the very last
	in 002.		olumn under strength?
14	A. 002.	14	A. Page 13, okay.
15	Q. Is that Indianapolis?	15	Q. All the way at the end.
16	A. Indicating Indianapolis.		trength, when it says
17	Q. The quantity shipped is the		.5/750 milligrams, when you combine the
18	amount of orders shipped?		st two columns it's 500 pills of that
19	A. Quantity shipped will be the		osage strength, correct, for that
20	amount of selling units.	-	articular order?
21	Q. Okay. What is UOM?	21	A. For yes, for hydrocodone,
22	A. Unit of measure.	²² ye	
23	Q. And what does BT stand for?	23	Q. Times two bottles, correct?
24	A. Bottle.	24	A. Depending what it says in
	Page 139		Page 141
1	Q. Bottle. And then the size	¹ th	Page 141 ne quantity shipped.
1 2	_	2	ne quantity shipped. Q. Right. On the first line.
	Q. Bottle. And then the size	2	ne quantity shipped.
2	Q. Bottle. And then the size would be the number of milligrams per bottle? MR. McDONALD: Object to the	23 So4 tw	Q. Right. On the first line. o in this particular order, there were wo separate orders of 500 pills at the
2 3 4 5	Q. Bottle. And then the size would be the number of milligrams per bottle? MR. McDONALD: Object to the form.	23 So4 tw	Q. Right. On the first line. o in this particular order, there were wo separate orders of 500 pills at the trength 7.5/750, correct?
2 3 4 5 6	Q. Bottle. And then the size would be the number of milligrams per bottle? MR. McDONALD: Object to the form. BY MR. MIGLIORI:	 3 So 4 tw 5 str 6 	Q. Right. On the first line. o in this particular order, there were wo separate orders of 500 pills at the
2 3 4 5	Q. Bottle. And then the size would be the number of milligrams per bottle? MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Is that what is the	 3 So 4 tw 5 str 6 7 	Q. Right. On the first line. o in this particular order, there were wo separate orders of 500 pills at the rength 7.5/750, correct? MR. McDONALD: Object to the form.
2 3 4 5 6	Q. Bottle. And then the size would be the number of milligrams per bottle? MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Is that what is the 500/BT on the first line of Page 13 for	 3 So 4 tw 5 str 6 7 8 	Q. Right. On the first line. o in this particular order, there were vo separate orders of 500 pills at the rength 7.5/750, correct? MR. McDONALD: Object to the form. THE WITNESS: I'm sorry,
2 3 4 5 6 7 8	Q. Bottle. And then the size would be the number of milligrams per bottle? MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Is that what is the 500/BT on the first line of Page 13 for hydrocodone?	 3 So 4 tw 5 str 6 7 8 9 	Q. Right. On the first line. o in this particular order, there were wo separate orders of 500 pills at the trength 7.5/750, correct? MR. McDONALD: Object to the form. THE WITNESS: I'm sorry, what particular order? I thought
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2 3 4 5 6 7 8 9 10 11 12 13	Q. Bottle. And then the size would be the number of milligrams per bottle? MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Is that what is the 500/BT on the first line of Page 13 for hydrocodone? A. That would indicate Q. Dosage? A the selling unit size. Q. So which is what for 500/BT?	2 3 Sc 4 tw 5 str 6 7 8 9 10 11 B' 12 13 th	ne quantity shipped. Q. Right. On the first line. o in this particular order, there were wo separate orders of 500 pills at the trength 7.5/750, correct? MR. McDONALD: Object to the form. THE WITNESS: I'm sorry, what particular order? I thought we were under purchase in general? Y MR. MIGLIORI: Q. Page 13. Page 13. Stay on the top line. A. Okay. Top line.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Bottle. And then the size would be the number of milligrams per bottle? MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Is that what is the 500/BT on the first line of Page 13 for hydrocodone? A. That would indicate Q. Dosage? A the selling unit size. Q. So which is what for 500/BT? A. 500 per bottle. Q. 500 what?	3 So 4 tw 5 str 6 7 8 9 10 11 B' 12 13 th	ne quantity shipped. Q. Right. On the first line. The oin this particular order, there were we separate orders of 500 pills at the rength 7.5/750, correct? MR. McDONALD: Object to the form. THE WITNESS: I'm sorry, what particular order? I thought we were under purchase in general? Y MR. MIGLIORI: Q. Page 13. Page 13. Stay on the top line. A. Okay. Top line. Q. Just go to the last two olumns
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Bottle. And then the size would be the number of milligrams per bottle? MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Is that what is the 500/BT on the first line of Page 13 for hydrocodone? A. That would indicate Q. Dosage? A the selling unit size. Q. So which is what for 500/BT? A. 500 per bottle. Q. 500 what? A. In this case tablets. Q. 500 hydrocodone tablets of a strength of 7.5 codeine and 750 milligrams	2 3 Sc 4 tw 5 str 6 7 8 9 10 11 B 11 14 115 16 CC 17 18 19 wc 20 each	ne quantity shipped. Q. Right. On the first line. o in this particular order, there were we separate orders of 500 pills at the trength 7.5/750, correct? MR. McDONALD: Object to the form. THE WITNESS: I'm sorry, what particular order? I thought we were under purchase in general? Y MR. MIGLIORI: Q. Page 13. Page 13. Stay on the top line. A. Okay. Top line. Q. Just go to the last two columns A. Okay. Q last four columns. There were two bottles sent of 500 pills in each bottle at the strength of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Bottle. And then the size would be the number of milligrams per bottle? MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Is that what is the 500/BT on the first line of Page 13 for hydrocodone? A. That would indicate Q. Dosage? A the selling unit size. Q. So which is what for 500/BT? A. 500 per bottle. Q. 500 what? A. In this case tablets. Q. 500 hydrocodone tablets of a strength of 7.5 codeine and 750 milligrams A. Correct.	2 3 Sc 4 tw 5 str 6 7 8 9 10 11 B 12 13 th 15 16 cc 17 18 19 we aa 21 7.	Q. Right. On the first line. o in this particular order, there were wo separate orders of 500 pills at the trength 7.5/750, correct? MR. McDONALD: Object to the form. THE WITNESS: I'm sorry, what particular order? I thought we were under purchase in general? Y MR. MIGLIORI: Q. Page 13. Page 13. Stay on the top line. A. Okay. Top line. Q. Just go to the last two columns A. Okay. Q last four columns. There there two bottles sent of 500 pills in the bottle at the strength of the stre
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Bottle. And then the size would be the number of milligrams per bottle? MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Is that what is the 500/BT on the first line of Page 13 for hydrocodone? A. That would indicate Q. Dosage? A the selling unit size. Q. So which is what for 500/BT? A. 500 per bottle. Q. 500 what? A. In this case tablets. Q. 500 hydrocodone tablets of a strength of 7.5 codeine and 750 milligrams A. Correct. Q hydrocodone?	2 3 So 4 tw 5 str 6 7 8 9 10 11 B' 12 13 th 14 15 16 co 17 18 19 we 20 ea 21 7	ne quantity shipped. Q. Right. On the first line. o in this particular order, there were we separate orders of 500 pills at the trength 7.5/750, correct? MR. McDONALD: Object to the form. THE WITNESS: I'm sorry, what particular order? I thought we were under purchase in general? Y MR. MIGLIORI: Q. Page 13. Page 13. Stay on the top line. A. Okay. Top line. Q. Just go to the last two columns A. Okay. Q last four columns. There there two bottles sent of 500 pills in each bottle at the strength of c.5/750 milligrams, correct? A. That's my understanding.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Bottle. And then the size would be the number of milligrams per bottle? MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Is that what is the 500/BT on the first line of Page 13 for hydrocodone? A. That would indicate Q. Dosage? A the selling unit size. Q. So which is what for 500/BT? A. 500 per bottle. Q. 500 what? A. In this case tablets. Q. 500 hydrocodone tablets of a strength of 7.5 codeine and 750 milligrams A. Correct.	2 3 Sc 4 tw 5 str 6 7 8 9 10 11 B' 12 13 th 14 15 16 cc 17 18 19 wc 20 ea 21 7 22 23	Q. Right. On the first line. o in this particular order, there were wo separate orders of 500 pills at the trength 7.5/750, correct? MR. McDONALD: Object to the form. THE WITNESS: I'm sorry, what particular order? I thought we were under purchase in general? Y MR. MIGLIORI: Q. Page 13. Page 13. Stay on the top line. A. Okay. Top line. Q. Just go to the last two columns A. Okay. Q last four columns. There there two bottles sent of 500 pills in the bottle at the strength of the stre

Highly Confidential - Subject t	
Page 142	Page 144
¹ present.	A. At the time?
2 (Document marked for	Q. Were you ever made aware of
identification as Exhibit	3 that?
Henry Schein-Tejeda-7.)	4 A. No.
THE WITNESS: Thank you.	⁵ Q. And I showed you Exhibit 6,
6 BY MR. MIGLIORI:	6 which I believe was the printout of his
Q. If you look on the top of	⁷ due diligence file, or at least the
8 these two documents, it says, "Due	8 inventory of the computer screen shots of
⁹ diligence documents." Transactional	⁹ his due diligence file. Is there
records are not due diligence, are they,	anything on there that pops out at you to
in Schein's system?	suggest that he might be the largest
A. Transactional documents are	¹² customer of Henry Schein in Summit County
13 not due diligence.	based on dosage units?
Q. You you would you	A. Do you want me to go over
would agree with me that Exhibit 7 that	15 the whole report to see who is the
we're looking at and Exhibit 5 that we	largest? Oh.
were looking at, these are summaries of	Q. No, I'm asking you whether
transactional information, correct?	by looking at this particular due
These are opioid orders, the first from	diligence printout, if there's anything
20 2001 to 2008, the second post January of	²⁰ that pops out at you.
21 2009. These are transactional records,	You can see it's the
22 correct?	²² verifications group that produced this
A. The way I read it.	²³ document.
Q. And so these aren't due	But I'm asking, by looking
Page 143	Page 145
Page 143 ¹ diligence documents the way the title	Page 145 ¹ at it as director of regulatory affairs,
_	
¹ diligence documents the way the title	¹ at it as director of regulatory affairs,
 diligence documents the way the title reads, correct? 	 at it as director of regulatory affairs, whether anything pops out at you that
 diligence documents the way the title reads, correct? MR. McDONALD: Object to the 	 at it as director of regulatory affairs, whether anything pops out at you that this is a large volume customer of Henry
 diligence documents the way the title reads, correct? MR. McDONALD: Object to the form. 	 at it as director of regulatory affairs, whether anything pops out at you that this is a large volume customer of Henry Schein or
 diligence documents the way the title reads, correct? MR. McDONALD: Object to the form. THE WITNESS: Yeah, I 	 at it as director of regulatory affairs, whether anything pops out at you that this is a large volume customer of Henry Schein or MR. McDONALD: Object to the
 diligence documents the way the title reads, correct? MR. McDONALD: Object to the form. THE WITNESS: Yeah, I don't I don't think these are 	 at it as director of regulatory affairs, whether anything pops out at you that this is a large volume customer of Henry Schein or MR. McDONALD: Object to the form.
 diligence documents the way the title reads, correct? MR. McDONALD: Object to the form. THE WITNESS: Yeah, I don't I don't think these are due diligence documents. 	 at it as director of regulatory affairs, whether anything pops out at you that this is a large volume customer of Henry Schein or MR. McDONALD: Object to the form. THE WITNESS: Again, we
 diligence documents the way the title reads, correct? MR. McDONALD: Object to the form. THE WITNESS: Yeah, I don't I don't think these are due diligence documents. BY MR. MIGLIORI: 	 at it as director of regulatory affairs, whether anything pops out at you that this is a large volume customer of Henry Schein or MR. McDONALD: Object to the form. THE WITNESS: Again, we don't work with this.
diligence documents the way the title reads, correct? MR. McDONALD: Object to the form. THE WITNESS: Yeah, I don't I don't think these are due diligence documents. BY MR. MIGLIORI: Q. Okay. And so you'll see	 at it as director of regulatory affairs, whether anything pops out at you that this is a large volume customer of Henry Schein or MR. McDONALD: Object to the form. THE WITNESS: Again, we don't work with this. BY MR. MIGLIORI:
 diligence documents the way the title reads, correct? MR. McDONALD: Object to the form. THE WITNESS: Yeah, I don't I don't think these are due diligence documents. BY MR. MIGLIORI: Q. Okay. And so you'll see that the information is organized the 	 at it as director of regulatory affairs, whether anything pops out at you that this is a large volume customer of Henry Schein or MR. McDONALD: Object to the form. THE WITNESS: Again, we don't work with this. BY MR. MIGLIORI: Q. I'm sorry, I didn't hear
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diligence documents the way the title reads, correct? MR. McDONALD: Object to the form. THE WITNESS: Yeah, I don't I don't think these are due diligence documents. BY MR. MIGLIORI: Q. Okay. And so you'll see that the information is organized the same for Exhibit Number 7. And again, there are a couple more entries on Page 2 for Dr. Harper. Here he got a total of nine more bottles, 500 pills in each bottle, of the same dosage that we just discussed	at it as director of regulatory affairs, whether anything pops out at you that this is a large volume customer of Henry Schein or MR. McDONALD: Object to the form. THE WITNESS: Again, we don't work with this. BY MR. MIGLIORI: Q. I'm sorry, I didn't hear you. A. So no, we don't work with this. Q. Okay. So if there were sovernment inquiries about this doctor in control of 2010, would those records be the
diligence documents the way the title reads, correct? MR. McDONALD: Object to the form. THE WITNESS: Yeah, I don't I don't think these are due diligence documents. BY MR. MIGLIORI: Q. Okay. And so you'll see that the information is organized the same for Exhibit Number 7. And again, there are a couple more entries on Page 2 for Dr. Harper. Here he got a total of nine more bottles, 500 pills in each bottle, of the same dosage that we just discussed 7.5/750 milligrams.	at it as director of regulatory affairs, whether anything pops out at you that this is a large volume customer of Henry Schein or MR. McDONALD: Object to the form. THE WITNESS: Again, we don't work with this. BY MR. MIGLIORI: Q. I'm sorry, I didn't hear Lyou. A. So no, we don't work with this. Q. Okay. So if there were Sovernment inquiries about this doctor in customer and the source of the sourc
diligence documents the way the title reads, correct? MR. McDONALD: Object to the form. THE WITNESS: Yeah, I don't I don't think these are due diligence documents. BY MR. MIGLIORI: Q. Okay. And so you'll see that the information is organized the same for Exhibit Number 7. And again, there are a couple more entries on Page 2 for Dr. Harper. Here he got a total of nine more bottles, 500 pills in each bottle, of the same dosage that we just discussed 7.5/750 milligrams. Do you see that?	at it as director of regulatory affairs, whether anything pops out at you that this is a large volume customer of Henry Schein or MR. McDONALD: Object to the form. THE WITNESS: Again, we don't work with this. BY MR. MIGLIORI: Q. I'm sorry, I didn't hear you. A. So no, we don't work with this. Q. Okay. So if there were sovernment inquiries about this doctor in control of 2010, would those records be the verifications department or the regulatory department's obligation to
diligence documents the way the title reads, correct? MR. McDONALD: Object to the form. THE WITNESS: Yeah, I don't I don't think these are due diligence documents. BY MR. MIGLIORI: Q. Okay. And so you'll see that the information is organized the same for Exhibit Number 7. And again, there are a couple more entries on Page 2 for Dr. Harper. Here he got a total of nine more bottles, 500 pills in each bottle, of the same dosage that we just discussed 7.5/750 milligrams. Do you see that? A. Yes, I see it.	at it as director of regulatory affairs, whether anything pops out at you that this is a large volume customer of Henry Schein or MR. McDONALD: Object to the form. THE WITNESS: Again, we don't work with this. BY MR. MIGLIORI: Q. I'm sorry, I didn't hear you. A. So no, we don't work with this. Q. Okay. So if there were sovernment inquiries about this doctor in 2010, would those records be the regulatory department or the regulatory department's obligation to
diligence documents the way the title reads, correct? MR. McDONALD: Object to the form. THE WITNESS: Yeah, I don't I don't think these are due diligence documents. BY MR. MIGLIORI: Q. Okay. And so you'll see that the information is organized the same for Exhibit Number 7. And again, there are a couple more entries on Page 2 for Dr. Harper. Here he got a total of nine more bottles, 500 pills in each bottle, of the same dosage that we just discussed 7.5/750 milligrams. Do you see that? A. Yes, I see it. Q. And were you aware that he was, by dosage, the largest customer of	at it as director of regulatory affairs, whether anything pops out at you that this is a large volume customer of Henry Schein or MR. McDONALD: Object to the form. THE WITNESS: Again, we don't work with this. BY MR. MIGLIORI: Q. I'm sorry, I didn't hear you. A. So no, we don't work with this. Q. Okay. So if there were sovernment inquiries about this doctor in 2010, would those records be the verifications department or the regulatory department's obligation to produce? MR. McDONALD: Object to the
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		1 (
	Page 146		Page 148
1	Q. Would it be a joint	1	Q. From whom?
2	responsibility by 2010?	2	A. I think it was DEA.
3	A. I'm sorry?	3	Q. And what do you recall the
4	Q. Would it be a joint	4	document requesting?
5	responsibility by 2010?	5	A. Records of transaction
6	A. I know it is a joint	6	records I think.
7	responsibility now.	7	Q. And were you involved
8	Q. It is now?	8	did did you receive that request
9	A. Yes.	9	did you see that request at the time?
10	Q. So that those documents	10	A. No.
11	would exist somewhere still if the	11	Q. Did you receive it in
12	there was such an inquiry?	12	preparation for today, did you look at it
13	A. Dr. Harper, if it was	13	in preparation for today?
14	inquiry when?	14	A. I think I saw it in one of
15	Q. In 2010? Would you still	15	the meetings.
16	have those records?	16	Q. One of the meetings with
17	A. I don't know. But if I go	17	counsel to prepare for today's
18	by the record retention, I wouldn't think	18	deposition?
19		19	A. Mm-hmm.
20	Q. Were you aware of the fact	20	Q. Yes?
21	that Dr. Harper was sentenced to ten	21	A. Yes.
	years in prison for illegal	22	Q. Where would that request in
	prescription	23	2012 be documented, that is, which
24	A. No.		department would be required under the
	Page 147		Page 149
1	Q of opioids and controlled		document retention policy to produce that
2	Q of opioids and controlled substances?	2	document retention policy to produce that document? Verifications, regulatory,
2 3	Q of opioids and controlled substances? A. No.	3	document retention policy to produce that document? Verifications, regulatory, legal or some combination of them?
2 3 4	Q of opioids and controlled substances?A. No.Q. Were you aware that	2	document retention policy to produce that document? Verifications, regulatory, legal or some combination of them? A. I don't know.
2 3 4 5	 Q of opioids and controlled substances? A. No. Q. Were you aware that prosecutors connect him to eight deaths 	2 3 4 5	document retention policy to produce that document? Verifications, regulatory, legal or some combination of them? A. I don't know. Q. Do you recall the date of
2 3 4 5 6	Q of opioids and controlled substances? A. No. Q. Were you aware that prosecutors connect him to eight deaths of opioid-addicted users?	2 3 4 5	document retention policy to produce that document? Verifications, regulatory, legal or some combination of them? A. I don't know. Q. Do you recall the date of the document that you saw where DEA
2 3 4 5 6 7	Q of opioids and controlled substances? A. No. Q. Were you aware that prosecutors connect him to eight deaths of opioid-addicted users? A. No.	2 3 4 5 6 7	document retention policy to produce that document? Verifications, regulatory, legal or some combination of them? A. I don't know. Q. Do you recall the date of the document that you saw where DEA requested this information?
2 3 4 5 6 7 8	Q of opioids and controlled substances? A. No. Q. Were you aware that prosecutors connect him to eight deaths of opioid-addicted users? A. No. Q. The second largest volume by	2 3 4 5 6 7 8	document retention policy to produce that document? Verifications, regulatory, legal or some combination of them? A. I don't know. Q. Do you recall the date of the document that you saw where DEA requested this information? A. No.
2 3 4 5 6 7 8	Q of opioids and controlled substances? A. No. Q. Were you aware that prosecutors connect him to eight deaths of opioid-addicted users? A. No. Q. The second largest volume by dosage in this county is a Dr. Name Brian	2 3 4 5 6 7 8	document retention policy to produce that document? Verifications, regulatory, legal or some combination of them? A. I don't know. Q. Do you recall the date of the document that you saw where DEA requested this information? A. No. Q. Did your counsel share
2 3 4 5 6 7 8 9	Q of opioids and controlled substances? A. No. Q. Were you aware that prosecutors connect him to eight deaths of opioid-addicted users? A. No. Q. The second largest volume by dosage in this county is a Dr. Name Brian Heim. Are you familiar with Dr. Heim?	2 3 4 5 6 7 8 9	document retention policy to produce that document? Verifications, regulatory, legal or some combination of them? A. I don't know. Q. Do you recall the date of the document that you saw where DEA requested this information? A. No. Q. Did your counsel share Exhibit Number 8, the due diligence file
2 3 4 5 6 7 8 9 10	Q of opioids and controlled substances? A. No. Q. Were you aware that prosecutors connect him to eight deaths of opioid-addicted users? A. No. Q. The second largest volume by dosage in this county is a Dr. Name Brian Heim. Are you familiar with Dr. Heim? A. No. I have heard the name,	2 3 4 5 6 7 8 9 10	document retention policy to produce that document? Verifications, regulatory, legal or some combination of them? A. I don't know. Q. Do you recall the date of the document that you saw where DEA requested this information? A. No. Q. Did your counsel share
2 3 4 5 6 7 8 9 10	Q of opioids and controlled substances? A. No. Q. Were you aware that prosecutors connect him to eight deaths of opioid-addicted users? A. No. Q. The second largest volume by dosage in this county is a Dr. Name Brian Heim. Are you familiar with Dr. Heim?	2 3 4 5 6 7 8 9	document retention policy to produce that document? Verifications, regulatory, legal or some combination of them? A. I don't know. Q. Do you recall the date of the document that you saw where DEA requested this information? A. No. Q. Did your counsel share Exhibit Number 8, the due diligence file produced to us of Dr. Heim. (Document marked for
2 3 4 5 6 7 8 9 10 11 12	Q of opioids and controlled substances? A. No. Q. Were you aware that prosecutors connect him to eight deaths of opioid-addicted users? A. No. Q. The second largest volume by dosage in this county is a Dr. Name Brian Heim. Are you familiar with Dr. Heim? A. No. I have heard the name, but not familiar with his file. Q. Have you ever seen any	2 3 4 5 6 7 8 9 10	document retention policy to produce that document? Verifications, regulatory, legal or some combination of them? A. I don't know. Q. Do you recall the date of the document that you saw where DEA requested this information? A. No. Q. Did your counsel share Exhibit Number 8, the due diligence file produced to us of Dr. Heim.
2 3 4 5 6 7 8 9 10 11 12	Q of opioids and controlled substances? A. No. Q. Were you aware that prosecutors connect him to eight deaths of opioid-addicted users? A. No. Q. The second largest volume by dosage in this county is a Dr. Name Brian Heim. Are you familiar with Dr. Heim? A. No. I have heard the name, but not familiar with his file.	2 3 4 5 6 7 8 9 10 11	document retention policy to produce that document? Verifications, regulatory, legal or some combination of them? A. I don't know. Q. Do you recall the date of the document that you saw where DEA requested this information? A. No. Q. Did your counsel share Exhibit Number 8, the due diligence file produced to us of Dr. Heim. (Document marked for
2 3 4 5 6 7 8 9 10 11 12 13	Q of opioids and controlled substances? A. No. Q. Were you aware that prosecutors connect him to eight deaths of opioid-addicted users? A. No. Q. The second largest volume by dosage in this county is a Dr. Name Brian Heim. Are you familiar with Dr. Heim? A. No. I have heard the name, but not familiar with his file. Q. Have you ever seen any	2 3 4 5 6 7 8 9 10 11 12 13	document retention policy to produce that document? Verifications, regulatory, legal or some combination of them? A. I don't know. Q. Do you recall the date of the document that you saw where DEA requested this information? A. No. Q. Did your counsel share Exhibit Number 8, the due diligence file produced to us of Dr. Heim. (Document marked for identification as Exhibit
2 3 4 5 6 7 8 9 10 11 12 13 14	Q of opioids and controlled substances? A. No. Q. Were you aware that prosecutors connect him to eight deaths of opioid-addicted users? A. No. Q. The second largest volume by dosage in this county is a Dr. Name Brian Heim. Are you familiar with Dr. Heim? A. No. I have heard the name, but not familiar with his file. Q. Have you ever seen any documentation of the DOJ and the DEA	2 3 4 5 6 7 8 9 10 11 12 13 14	document retention policy to produce that document? Verifications, regulatory, legal or some combination of them? A. I don't know. Q. Do you recall the date of the document that you saw where DEA requested this information? A. No. Q. Did your counsel share Exhibit Number 8, the due diligence file produced to us of Dr. Heim. (Document marked for identification as Exhibit Henry Schein-Tejeda-8.)
2 3 4 5 6 7 8 9 10 11 12 13 14	Q of opioids and controlled substances? A. No. Q. Were you aware that prosecutors connect him to eight deaths of opioid-addicted users? A. No. Q. The second largest volume by dosage in this county is a Dr. Name Brian Heim. Are you familiar with Dr. Heim? A. No. I have heard the name, but not familiar with his file. Q. Have you ever seen any documentation of the DOJ and the DEA asking Henry Schein for his transactional	2 3 4 5 6 7 8 9 10 11 12 13 14 15	document retention policy to produce that document? Verifications, regulatory, legal or some combination of them? A. I don't know. Q. Do you recall the date of the document that you saw where DEA requested this information? A. No. Q. Did your counsel share Exhibit Number 8, the due diligence file produced to us of Dr. Heim. (Document marked for identification as Exhibit Henry Schein-Tejeda-8.) MR. McDONALD: And there was
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1 1 2 3 4 1 2 3 4 5 6	direct me to any due diligence of		nogition that ha
1 2 3 4 5 6	•		position that he
1 2 3 4 5	Du Haim	23	Do you have that?
1 2 3 4 5	Dr. Heim.	24	MR. DUANE: I think I've got
2 3 4 5 6	MR. McDONALD: We told you	24	it now. He just sent it to me.
2 3 4 5 6	Page 151		Page 15
3 4 5 6	that well, I can go back and	1	MR. MIGLIORI: And this is?
4 5 6	look at the communications with	2	MR. McDONALD: There is the
5 6	you. But I talked to your	3	additional screen shot for
6	colleague last week.	4	Dr. Heim, and there is the
	MR. MIGLIORI: I know you	5	additional due diligence
	did.	6	documentation for Dr. Heim.
7	MR. McDONALD: And I told	7	MR. MIGLIORI: Can you tell
8	him on the phone exactly what we	8	when this was produced?
9	had produced, including the	9	MR. DUANE: I'll check.
.0	additional screen shots	10	MR. McDONALD: And, Don, I
.1	MR. MIGLIORI: Right.	11	told your I told your
.2	MR. McDONALD: for all of	12	colleagues this, that that
.3	them, which you specifically had,	13	this hang on. That this was
.4	an additional production. You got	14	brought to our attention as a
.5	further documentation from my	15	result of your inquiry from Tina
.6	colleague, Scott Jones, in an	16	Steffanie-Oak where she said that
.7	e-mail to you guys, telling you	17	this isn't she wasn't familiar
L8	that there had been additional	18	with this file, there should have
.9	screen shot of Dr. Heim that	19	been something else in the file if
20		20	there was, in fact, an inquiry
21	identified the inquiry from DOI or	21	from DEA or DOJ.
22	identified the inquiry from DOJ or	22	And so we went and looked,
23	whoever it came from, the		And so we well ally looken,
	whoever it came from, the government entity, because I don't		and said we must be
	whoever it came from, the	23 24	and said we must be miscommunicating what we're asking
24	whoever it came from, the government entity, because I don't		and said we must be

Page 154 Page 156 for. And we found this additional 1 Q. But your recollection of ² that is only from preparation for today, 2 screen shot, as well as the DOJ not that you were involved with the 3 inquiries, and we produced them to 4 ⁴ inquiry back in 2012, correct? you. 5 A. I don't remember. But it's a verifications 6 Q. Did anyone point out to you issues, Don. And -- and let me be 7 in showing you this information that clear. As I told you before, if 8 there's some -- you can ask --Dr. Heim was in fact the second largest 9 customer of Henry Schein in Summit MR. MIGLIORI: I appreciate 10 County, Ohio? it. 11 11 A. Not in that context. MR. McDONALD: Hang on. You 12 12 can ask him all the questions you Q. And are you aware that 13 want, but if he doesn't know about ¹³ Dr. Heim is also in federal prison as a 14 it and you need to ask Mr. Grey or result of convictions on drug-related 15 charges including -- specifically somebody else, I'll open his 16 including controlled substances? deposition for a short period of 17 17 time to ask about it, we're happy A. I wasn't aware. 18 to accomplish that. 18 Q. Are you aware that 19 There was certainly no Dr. Heim's conviction was actually 20 intention on our part not to premised on the information about Henry 21 produce this stuff. Schein's transactions with Dr. Heim? 22 22 MR. MIGLIORI: I'm not -- I MR. McDONALD: Object to the 23 23 have never in the seven form. Assumes facts not in 24 24 depositions I've done, I have evidence. Page 155 Page 157 1 never accused you of anything THE WITNESS: I wasn't 2 untoward. I'm trying to get to aware. 3 the bottom of this. And I can ³ BY MR. MIGLIORI: 4 tell you that this was never Q. In Ohio, in Summit County, 5 referenced directly or brought to ⁵ the two largest customers of Henry Schein 6 my attention, and to my knowledge today sit in federal prison, and you 7 haven't looked to see anything about them to my law partner's attention, that this screen shot particularly 8 or Henry Schein's involvement with them 9 to Heim existed. as customers? 10 10 I know that I saw the MR. McDONALD: Object to the 11 11 general reference to additional form. 12 12 screen shots which was contained THE WITNESS: I'm sorry, 13 13 in several other screen shots. what -- what are you -- what are 14 14 This is the first time I'm you -- what is your question? 15 BY MR. MIGLIORI: seeing a screen shot. And I'm 16 16 looking at it through the database Q. As you spent 25 hours 17 right now. preparing for this deposition, I'm asking you whether you did anything yourself 18 MR. McDONALD: Okay. 19 within the regulatory affairs department MR. MIGLIORI: So that's --20 that's my side of the story. or the verifications department or legal 21 BY MR. MIGLIORI: department to familiarize yourself with 22 Q. You did review -- the letter the two largest customers of Henry Schein ²³ in Summit County, Ohio, where this ²³ from DEA to Henry Schein about Dr. Heim? 24 A. I remember seeing it. ²⁴ lawsuit is being prosecuted to

Dama 150	Dags 160
Page 158	Page 160
¹ familiarize yourself with Henry Schein's	Schein Incorporated has been
² involvement with these two doctors who	² underreporting sales of controlled
3 now sit in federal prison?	³ substances to Ohio Board of Pharmacy as
4 MR. McDONALD: Object to the	4 required by the state's prescription
5 form.	5 monitoring program (PMP)."
You can answer that question	6 Do you recall sending that
yes or no.	7 letter to the Ohio Board of Pharmacy?
8 THE WITNESS: Nothing on	8 A. Yes.
9 Dr. Harper, and just like I said,	9 Q. And do you recall the
so the document from Dr. Heim.	realization that Henry Schein had been
MR. MIGLIORI: This is the	underreporting controlled substances as
last document and we'll take a	to Ohio as required by Ohio law?
break.	A. Yes.
(Document marked for	Q. Who was the person that
identification as Exhibit	discovered this?
Henry Schein-Tejeda-9.)	A. It was one of our regulatory
17 BY MR. MIGLIORI:	specialists.
Q. Did you see this document in	Q. Who was that?
19 your preparation for today, the letter	A. I don't remember exactly who
20 that you wrote to the field office of DEA	20 it was. I can tell you who I think it
about the reporting	was.
A. This was in	Q. What's your best educated
Q. Let me finish. I'm sorry.	23 guess?
A. Okay.	MR. McDONALD: Object to the
Page 159	Dona 161
rage 139	Page 161
Q. Did you review this document	¹ form.
¹ Q. Did you review this document	¹ form.
Q. Did you review this document in preparation for today, which was your	form.Go ahead.
Q. Did you review this document in preparation for today, which was your letter to Danna Droz of the Ohio State	 form. Go ahead. THE WITNESS: Peter Schmidt.
Q. Did you review this document in preparation for today, which was your letter to Danna Droz of the Ohio State Board of Pharmacy regarding Schein reporting practices in the state of Ohio? A. I did review this slide.	 form. Go ahead. THE WITNESS: Peter Schmidt. BY MR. MIGLIORI:
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	3 1	-	Further Confidentiality Review
	Page 162		Page 164
1	Q. Is it dozens?	1	A. The state of Ohio.
2	A. I don't know.	2	Q. So at this point in 2010,
3	Q. Do you know how many how	3	the oxycodone would have been a
4	significant in numbers the underreporting	4	controlled substance that would not be
5	was as of November of 2012?	5	reported here, correct?
6	A. I don't remember.	6	A. From what the letter says,
7	Q. Isn't it true that this	7	we only were reporting a couple of drugs.
8	underreporting continued for two years	8	Q. Hydrocodone would not have
9	before it was discovered?	9	been reported, correct?
10	A. I'm sorry. Say that again?	10	A. According to the letter.
11	· · · · · · · · · · · · · · · · · · ·	11	_
١	Q. Isn't it true that this	12	Q. And you understand that in
12	underreporting of controlled substances		Ohio, hydrocodone was almost 99 percent
13	to the Ohio State Board of Pharmacy had	13	of the orders filled from 2006 to 2014 in
	been going on for two years?		Summit County: Were you aware or that.
15	A. I'm not sure about the time	15	MR. McDONALD: Object to the
16	frame, if it's in the letter.	16	form.
17	Q. I'll show you. On the third	17	BY MR. MIGLIORI:
	paragraph, it says, "Please be reassured	18	Q. From Henry Schein?
19	that there was never any intent to avoid	19	MR. McDONALD: Object to the
20	or circumvent the company's obligation	20	form.
21	under Ohio state law, and as an act of	21	BY MR. MIGLIORI:
22	good faith, Henry Schein is providing all	22	Q. Were you aware of that?
23	controlled substances sales information	23	A. No, sir, I wasn't.
24	which was mistakenly omitted for the	24	Q. Were you aware that
	Page 163		Page 165
1	Page 163	1	Page 165 Dr. Heim, who was convicted of drug
1 2	previous two years. See enclosures."		Dr. Heim, who was convicted of drug
1	previous two years. See enclosures." A. Okay.	2	Dr. Heim, who was convicted of drug trafficking, had received over 11,000
3	previous two years. See enclosures." A. Okay. Q. Isn't it true that Henry	3	Dr. Heim, who was convicted of drug trafficking, had received over 11,000 dosage units of hydrocodone from Henry
3 4	previous two years. See enclosures." A. Okay. Q. Isn't it true that Henry Schein, for two years, underreported the	3	Dr. Heim, who was convicted of drug trafficking, had received over 11,000 dosage units of hydrocodone from Henry Schein leading up to his conviction?
2 3 4 5	previous two years. See enclosures." A. Okay. Q. Isn't it true that Henry Schein, for two years, underreported the sale of controlled substances within the	2 3 4 5	Dr. Heim, who was convicted of drug trafficking, had received over 11,000 dosage units of hydrocodone from Henry Schein leading up to his conviction? MR. McDONALD: Object to the
2 3 4 5 6	previous two years. See enclosures." A. Okay. Q. Isn't it true that Henry Schein, for two years, underreported the sale of controlled substances within the state of Ohio, from at least 2010 to	2 3 4 5 6	Dr. Heim, who was convicted of drug trafficking, had received over 11,000 dosage units of hydrocodone from Henry Schein leading up to his conviction? MR. McDONALD: Object to the form.
2 3 4 5 6 7	previous two years. See enclosures." A. Okay. Q. Isn't it true that Henry Schein, for two years, underreported the sale of controlled substances within the state of Ohio, from at least 2010 to 2012?	2 3 4 5 6 7	Dr. Heim, who was convicted of drug trafficking, had received over 11,000 dosage units of hydrocodone from Henry Schein leading up to his conviction? MR. McDONALD: Object to the form. THE WITNESS: I wasn't
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Page 166	Page 168
	¹ for Dr. Heim?
¹ is forgive me for having to do it this ² way	² A. Yes.
 way. Is this what you saw as a 	Q. And you see these are all
A. The note?	4 hydrocodone orders?
5 Q screen shot?	5 A. Yes.
6 A. The note?	6 Q. For Dr. Heim?
7 Q. And what I'm looking at here	⁷ A. Mm-hmm, yes.
8 is there is an 11 7/11/12, "Please	8 Q. And these are all in the
9 contact Shaun to notify DEA if a control	⁹ transactional records of Henry Schein,
ontact shadn to notify BEFF if a control	orrect?
Do you see that?	11 A. That is correct.
A. Yes.	Q. And they say he is
Q. It says, "Deleted account."	13 getting according to this chart, he is
14 Do you know what that means?	14 getting, on the first line of his, one
A. Deleted account will mean	bottle of 500 pills, at
that the account is not longer current in	16 10/500 milligrams. And goes down the
our system.	list. Then he increases to two bottles
Q. You don't know when it was	18 of 500 pills at 10/500 milligrams.
19 deleted, do you?	You see all of those
20 A. No.	²⁰ entries, correct?
Q. So you'll see here that	21 A. Yes.
22 these this if if the date of	Q. These are records maintained
23 inquiry is in is in let's see	23 by Henry Schein, correct?
July of 2012, if I'm reading this	A. That is correct.
Page 167	Page 169
Page 167 1 correctly, you would agree with me that	Page 169 Q. And those records were also
Page 167 1 correctly, you would agree with me that 2 based on your letter to the Ohio board on	Page 169 1 Q. And those records were also 2 reported to ARCOS, the federal DEA,
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Page 170 Page 172 ¹ Schein, was the DEA -- did Henry Schein A. I would have. ² have an appreciation that the DEA, when Q. When you prepared for this ³ they asked for transactional record, is ³ deposition and you saw this Exhibit ⁴ looking for suspicious order practices, ⁴ Number 9, where you wrote to the Ohio ⁵ Board of Pharmacy and said we have ⁵ would that be a reasonable assumption at ⁶ mistakenly omitted two years of ⁶ Henry Schein? ⁷ controlled substance reporting to you, MR. McDONALD: Object to the ⁸ did it have attached to it the enclosures 8 form. 9 that's referenced in your letter to the THE WITNESS: Not really. 10 Henry Schein has had a very good board of pharmacy? 11 relationship with all the local 11 A. Did I have the enclosures? 12 ¹² No, I didn't read the enclosures. DEA offices and also the 13 Washington office. The fact that Q. Those two years of -- of 14 they asked for records doesn't ¹⁴ omitted reporting to the Ohio Board of 15 Pharmacy, do you know if they still exist necessarily mean that they are 16 looking for something on the somewhere at Henry Schein? 17 17 A. I don't know. But, however, customer. ¹⁸ BY MR. MIGLIORI: I think my point is that we are offering 19 two years of records to the board. Q. In that month, he was 20 ²⁰ indicted in August, based on the Q. Which --21 transactional records Henry Schein A. I don't think we're provided. Were you aware of that? ²² necessarily saying that we omitted two 23 years of records. MR. McDONALD: Object to the 24 Q. Let's go through it form. Page 171 Page 173 THE WITNESS: No, I wasn't. ¹ together. Because the jury can actually ² see this as we print it. So I -- I don't ² BY MR. MIGLIORI: Q. In August of 2012, these ³ want there to be any confusion. Or if ⁴ records that you have here, in this ⁴ I've mistaken, you can show me how I'm ⁵ exhibit that we're looking at, were ⁵ mistaken. ⁶ never, ever reported to the Ohio Board of Do you see where I am where ⁷ Pharmacy as required by Ohio law, it says in the third paragraph, please? 8 correct? A. Right. Q. And we'll read this A. They were reported at the ¹⁰ time of this letter. altogether for the jury's benefit. "Please be reassured that Q. Right. They weren't ¹² reported until November of 2012 with two there was never any intent to avoid or ¹³ years of unreported transactions, ¹³ circumvent the company's obligation under ¹⁴ correct? ¹⁴ Ohio state law, and as an act of good 15 ¹⁵ faith, Henry Schein Incorporated is A. Again, I don't know -- I ¹⁶ cannot tell you the time frame of the ¹⁶ providing all controlled substance sales underreporting. information which was mistakenly omitted 18 Q. You -- you write it out and for the previous two years, see 19 you put a number in. It says, enclosures." 20 ²⁰ "Mistakenly omitted for the previous two Those are your words, ²¹ years, see enclosures." 21 correct? 22 Did you ever look at these 22 Correct. Α. ²³ enclosures when you reviewed this 23 Q. You haven't seen the ²⁴ document? ²⁴ enclosures in preparation for today,

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Page 174	Page 176
¹ correct, just this letter?	¹ controlled substances that was
² A. Correct.	distributed to Ohio customers for
³ Q. But at least based on this	³ the prior two years.
⁴ letter, you provided two years of	⁴ BY MR. MIGLIORI:
⁵ mistakenly omitted reporting to the Ohio	⁵ Q. And in those prior two
⁶ Board of Pharmacy, correct?	⁶ years, as we just saw, hydrocodone was
⁷ A. So we provided two years of	⁷ the order the only thing that Dr. Heim
8 information. I can see you can read	⁸ ordered from Henry Schein in Summit
⁹ it that way. I can read it a little	⁹ County, correct?
¹⁰ different too.	MR. McDONALD: Object to the
Q. Did I read it properly?	¹¹ form.
MR. McDONALD: Object to the	12 You've totally
13 form.	mischaracterized this record.
¹⁴ BY MR. MIGLIORI:	MR. MIGLIORI: I have your
Q. Did I read it properly?	objection.
16 Whatever the information is, did I read	MR. McDONALD: It only
17 it properly?	only as to controlled substance.
A. I think the fact that I can	Be careful.
¹⁹ say over here is that the information	MR. MIGLIORI: This is a
that we produced at this time was two	controlled substance letter.
²¹ years of information.	MR. McDONALD: Correct. But
Q. Okay. Those are those	you're saying that is all we sold
²³ are some of the words of the sentence.	to him. I don't know if we sold
²⁴ If you put them all together, it	him all other kinds of stuff.
Page 175	
¹ references, "All controlled substance	¹ MR. MIGLIORI: With all due
² sales information which was mistakenly	respect, that is all I have. And
omitted."	it's all you it's what you've
That's what you provided,	given me. So everything that
⁵ for the previous two years?	5 Dr. Heim
6 A. Right.	6 MR. McDONALD: This is if
7 Q. You provided all of the	you want to ask him if that's all
8 controlled substance sales information	the controlled substances that we
9 which was mistakenly omitted for the	sold to him, that's fine. But
previous two years.	there's no evidence that that's
previous two years. 11 Do you see that?	all we sold to him.
12 A. I see that.	12 MR. MIGLIORI: All right.
A. I see that. Q. Those are your words?	In fact that's the only evidence,
	because that's what you've
A. Those are my words.	provided me.
Q. And that would include,	provided file.
because it s i to venioei 2012, an of the	MR. McDONALD: You only asked for evidence of controlled
hydrocodone that Dr. Heim ordered from Henry Schein, which led to his conviction	asked for evidence of controlled substance.
in federal court, in this federal court	
	MR. MIGLIORI: Listen, we don't need to debate this. We
120 in Ohio correct?	1 don't need to debate tills. We
20 in Ohio, correct?	21 don't need to I got to got the
MR. McDONALD: Object to the	don't need to I get to ask the
MR. McDONALD: Object to the form.	questions. And if you have a
MR. McDONALD: Object to the	

_	ignly Confidential - Subject to	_	-
	Page 178		Page 180
1	BY MR. MIGLIORI:	1	You only reported two controlled
2	Q. In this exhibit of	2	substances in those two years.
3	Dr. Heim's transactions as we've gone	3	A. Right.
4	through, they are all related to	4	Q. And neither were
5	hydrocodone tablets, correct?	5	hydrocodone, correct?
6	A. The report?	6	A. Correct.
7	Q. Take as much time as you	7	Q. So every single pill that
8	want to look at it.	8	you sold to Dr. Heim in Summit County in
9	A. What report are you looking	9	2011 and 2012 went unreported to the Ohio
10	at?	10	Board of Pharmacy, correct?
11	MR. McDONALD: The exhibit.	11	MR. McDONALD: Object to the
12	BY MR. MIGLIORI:	12	form.
13	Q. The opioid orders post	13	THE WITNESS: Up to this
14	January 2009.	14	point, yes.
15	MR. McDONALD: Tell him what	15	MR. MIGLIORI: Thank you.
16	exhibit, Don.	16	I want to take a break.
17	MR. MIGLIORI: He's going to	17	THE VIDEOGRAPHER: Going off
18	have to tell me because he's got	18	the record at 12:04 p.m.
19	it.	19	
20	BY MR. MIGLIORI:	20	(Lunch break.)
21	Q. What number is that exhibit?	21	
22	A. That is Tejeda Number 7.	22	THE VIDEOGRAPHER: Back on
23	Q. Exhibit Number 7, if you	23	the record at 12:49 p.m.
24	•	24	(Document marked for
	Page 179		Page 181
1		1	_
	the Brian Heim orders listed there, every	2	identification as Exhibit
3	one of them on Page 3 and Page 4, is		Henry Schein-Tejeda-10.) BY MR. MIGLIORI:
4	hydrocodone tablets, correct?	4	
-	A. Yes.		Q. Let me show you Exhibit 10.
6	Q. If you go to the order date,	l -	You had mentioned prior to the break that
7	every one of them is in 2011 or 2012,	6	you had seen an inquiry from DEA about
8	correct?	۱ /	21. Henri Tind I want to show you
9	A. Yes.	8	Exhibit 10. Is this what you looked at?
	Q. And they are all before	l	Is this the inquiry that you were
10	November 9, 2012, correct?	10	referring to?
11	A. That is correct.	11	A. Yes.
12	Q. And in your letter to Danna	12	Q. So Scott Brinks from the
13	Broz from the omo state Board of	l	Drug Enforcement Administration in
14	randon, you specifically interim one	14	Cit voiding whose to a wildred Steele.
15	Board of Pharmacy in November of 2012	1	is Melodie Steele to your knowledge?
16	that you did not report any hydrocodone	16	A. Melodie Steele was a
17	orders from Summit County from for the	17	production manager for the Indianapolis
		18	distribution center.
18	prior two years from November of 2012,	1 1 1	
18 19	correct?	19	Q. So she was at the
18 19 20	correct? A. I didn't specifically	20	distribution center itself, correct?
18 19 20 21	correct? A. I didn't specifically mention hydrocodone in my letter.	20 21	distribution center itself, correct? A. Yes, she was.
18 19 20 21 22	correct? A. I didn't specifically mention hydrocodone in my letter. Q. You specifically referenced	20 21 22	distribution center itself, correct? A. Yes, she was. Q. And so the DEA writes to her
18 19 20 21 22 23	correct? A. I didn't specifically mention hydrocodone in my letter.	20 21 22 23	distribution center itself, correct? A. Yes, she was.

1 substances purchased by Dr. Brian Heim 2 from January 1st, 2011, through to the 3 present. Could you also flag your system 4 to give me a call if he places another 5 order for controlled substances." 6 And then it leaves a phone 7 number. 8 And based on that e-mail, 9 would it be reasonable for Henry Schein 10 to appreciate the fact that the DEA had a 11 concern about his ordering practices for 12 controlled substances? 13 MR. McDONALD: Object to the 14 form. 15 THE WITNESS: So based on 16 the e-mail, it would be reasonable 17 to say that we provided the 18 records that they requested and 19 that if any communication followed 20 up as requested. 21 BY MR. MIGLIORI: 22 Q. And so if an order came in 23 after this date in your system, would you 24 expect that order to be filled? 1 could you please update me on the status 2 of the below request? Thanks for your 3 help." 4 Did you see any 5 communications in your review of 6 documents in preparation for today where 7 Ms. Steele ever responded to this initial 8 request of the DEA to provide controlled 9 substance purchase records for Dr. Heim? 10 A. Did I see anything besides 11 this e-mail as far as what was provided 12 to the DEA? 13 Q. Correct. Did you see any 14 other response from Ms. Steele to Scott 15 Brinks of the DEA asking for information 16 on Dr. Heim? 17 A. No. 18 Q. Okay. If you go to the 19 first e-mail in the chain, she doesn't 20 ever, based on this string of e-mails, 21 ever respond to the DEA. She writes to 22 Shaun Abreu, Donna Tomaselli and Craig 23 Schiavo and asks, can somebody contact 24 him.
2 from January 1st, 2011, through to the 3 present. Could you also flag your system 4 to give me a call if he places another 5 order for controlled substances." 6 And then it leaves a phone 7 number. 8 And based on that e-mail, 9 would it be reasonable for Henry Schein 10 to appreciate the fact that the DEA had a 11 concern about his ordering practices for 12 controlled substances? 13 MR. McDONALD: Object to the 14 form. 15 THE WITNESS: So based on 16 the e-mail, it would be reasonable 17 to say that we provided the 18 records that they requested and 19 that if any communication followed 20 up as requested. 21 BY MR. MIGLIORI: 22 Q. And so if an order came in 23 after this date in your system, would you 20 of the below request? Thanks for your 3 help." 4 Did you see any 5 communications in your review of 6 documents in preparation for today where 7 Ms. Steele ever responded to this initial 8 request of the DEA to provide controlled 9 substance purchase records for Dr. Heim? 10 A. Did I see anything besides 11 this e-mail as far as what was provided 12 to the DEA? 13 Q. Correct. Did you see any 14 other response from Ms. Steele to Scott 15 Brinks of the DEA asking for information 16 on Dr. Heim? 17 A. No. 18 Q. Okay. If you go to the 19 first e-mail in the chain, she doesn't 19 ever, based on this string of e-mails, 10 ever respond to the DEA. She writes to 20 Shaun Abreu, Donna Tomaselli and Craig 21 Schiavo and asks, can somebody contact
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And based on that e-mail, would it be reasonable for Henry Schein to appreciate the fact that the DEA had a concern about his ordering practices for MR. McDONALD: Object to the form. THE WITNESS: So based on the e-mail, it would be reasonable to say that we provided the records that they requested and that if any communication followed up as requested. BY MR. MIGLIORI: Request of the DEA to provide controlled substance purchase records for Dr. Heim? A. Did I see anything besides this e-mail as far as what was provided to the DEA? Correct. Did you see any other response from Ms. Steele to Scott Brinks of the DEA asking for information on Dr. Heim? A. No. First e-mail in the chain, she doesn't ever, based on this string of e-mails, ever respond to the DEA. She writes to Substance purchase records for Dr. Heim? A. Did I see anything besides this e-mail as far as what was provided to the DEA? A. Did I see anything besides this e-mail as far as what was provided to the DEA? A. Did I see anything besides this e-mail as far as what was provided to the DEA? A. Did I see anything besides this e-mail as far as what was provided to the DEA? A. Did I see anything besides The WITNESS: A. Did I see anything besides This e-mail as far as what was provided to the DEA? A. Did I see anything besides The WITNESS: A. Did I see anything besides The WITNESS: A. Did I see anything besides The DEA' Octrect. Did you see any The Other response from Ms. Steele to Scott The WITNESS: Brinks of the DEA asking for information The On Dr. Heim? A. No. Stelle to Scott Sprinks of the DEA asking for information The On Dr. Heim? A. No. Stelle to Scott Sprinks of the DEA asking for information The On Dr. Heim? A. No. Stelle to Scott Sprinks of the DEA of the DEA asking for information The On Dr. Heim? A. No. Stelle to Scott Sprinks of the DEA of the DEA asking for information The On Dr. Heim? A. No. Stelle to Scott Sprinks of the DEA of the DEA asking for information The On Dr. Heim? A. No. Stelle to Scott The
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14 form. 15 THE WITNESS: So based on 16 the e-mail, it would be reasonable 17 to say that we provided the 18 records that they requested and 19 that if any communication followed 20 up as requested. 21 BY MR. MIGLIORI: 22 Q. And so if an order came in 23 after this date in your system, would you 14 other response from Ms. Steele to Scott 15 Brinks of the DEA asking for information 16 on Dr. Heim? 17 A. No. 18 Q. Okay. If you go to the 19 first e-mail in the chain, she doesn't 20 ever, based on this string of e-mails, 21 ever respond to the DEA. She writes to 22 Shaun Abreu, Donna Tomaselli and Craig 23 Schiavo and asks, can somebody contact
THE WITNESS: So based on the e-mail, it would be reasonable to say that we provided the records that they requested and that if any communication followed up as requested. PY MR. MIGLIORI: Q. And so if an order came in A. No. Representation on Dr. Heim? First e-mail in the chain, she doesn't ever, based on this string of e-mails, Representation on Dr. Heim? A. No. Representation on Dr. Heim? First e-mail in the chain, she doesn't ever, based on this string of e-mails, Representation on Dr. Heim? First e-mail in the chain, she doesn't ever, based on this string of e-mails, Representation on Dr. Heim? First e-mail in the chain, she doesn't ever, based on this string of e-mails, Representation on Dr. Heim? First e-mail in the chain, she doesn't ever, based on this string of e-mails, Representation on Dr. Heim? First e-mail in the chain, she doesn't ever, based on this string of e-mails, Representation on Dr. Heim? First e-mail in the chain, she doesn't ever, based on this string of e-mails, Representation on Dr. Heim? First e-mail in the chain, she doesn't ever, based on this string of e-mails, Representation on Dr. Heim? First e-mail in the chain, she doesn't ever, based on this string of e-mails, Representation on Dr. Heim?
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Q. And so if an order came in Shaun Abreu, Donna Tomaselli and Craig Schiavo and asks, can somebody contact
23 after this date in your system, would you 23 Schiavo and asks, can somebody contact
24 expect that order to be filled? 24 him.
Page 183 Page 1
¹ MR. McDONALD: Object to ¹ Do you see that?
form. 2 form. 2 A. I see that.
Go ahead. 3 Go ahead. 3 Q. Which department is Donna
4 THE WITNESS: I would expect 4 Tomaselli in?
5 a communication to go back to 5 A. Verifications.
1 ° IVIT BEINKS
VII. Brinks.
⁷ BY MR. MIGLIORI: ⁷ regulatory, correct, at this time?
 Page 1
7 BY MR. MIGLIORI: 8 Q. Okay. My question was, 9 would you expect an order for a 7 regulatory, correct, at this time? 8 A. Yes, sir. 9 Q. He reported to you, correct?
7 BY MR. MIGLIORI: 8 Q. Okay. My question was, 9 would you expect an order for a 10 controlled substance after July 5, 2012, 7 regulatory, correct, at this time? 8 A. Yes, sir. 9 Q. He reported to you, correct? 10 A. Yes, sir.
7 BY MR. MIGLIORI: 8 Q. Okay. My question was, 9 would you expect an order for a 10 controlled substance after July 5, 2012, 11 to be filled? 7 regulatory, correct, at this time? 8 A. Yes, sir. 9 Q. He reported to you, correct? 10 A. Yes, sir. 11 Q. So other than these three
7 BY MR. MIGLIORI: 8 Q. Okay. My question was, 9 would you expect an order for a 10 controlled substance after July 5, 2012, 11 to be filled? 12 MR. McDONALD: Object to the 17 regulatory, correct, at this time? 18 A. Yes, sir. 9 Q. He reported to you, correct? 10 A. Yes, sir. 11 Q. So other than these three 12 e-mails from the DEA, or two from the DE
7 BY MR. MIGLIORI: 8 Q. Okay. My question was, 9 would you expect an order for a 10 controlled substance after July 5, 2012, 11 to be filled? 12 MR. McDONALD: Object to the 13 form. Asked and answered. 17 regulatory, correct, at this time? 18 A. Yes, sir. 19 Q. He reported to you, correct? 10 A. Yes, sir. 11 Q. So other than these three 12 e-mails from the DEA, or two from the DE 13 asking for information about Dr. Heim,
7 BY MR. MIGLIORI: 8 Q. Okay. My question was, 9 would you expect an order for a 10 controlled substance after July 5, 2012, 11 to be filled? 12 MR. McDONALD: Object to the 13 form. Asked and answered. 14 THE WITNESS: I cannot 7 regulatory, correct, at this time? 8 A. Yes, sir. 9 Q. He reported to you, correct? 10 A. Yes, sir. 11 Q. So other than these three 12 e-mails from the DEA, or two from the DE 13 asking for information about Dr. Heim, 14 have you seen any other correspondence
7 BY MR. MIGLIORI: 8 Q. Okay. My question was, 9 would you expect an order for a 10 controlled substance after July 5, 2012, 11 to be filled? 12 MR. McDONALD: Object to the 13 form. Asked and answered. 14 THE WITNESS: I cannot 15 answer that because it depends on 17 regulatory, correct, at this time? 8 A. Yes, sir. 9 Q. He reported to you, correct? 10 A. Yes, sir. 11 Q. So other than these three 12 e-mails from the DEA, or two from the DE 13 asking for information about Dr. Heim, 14 have you seen any other correspondence 15 between the DEA and Henry Schein about
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7 BY MR. MIGLIORI: 8 Q. Okay. My question was, 9 would you expect an order for a 10 controlled substance after July 5, 2012, 11 to be filled? 12 MR. McDONALD: Object to the 13 form. Asked and answered. 14 THE WITNESS: I cannot 15 answer that because it depends on 16 what the communication with the 17 DEA was. 7 regulatory, correct, at this time? 8 A. Yes, sir. 9 Q. He reported to you, correct? 10 A. Yes, sir. 11 Q. So other than these three 12 e-mails from the DEA, or two from the DE 13 asking for information about Dr. Heim, 14 have you seen any other correspondence 15 between the DEA and Henry Schein about 16 Dr. Heim and his controlled substance 17 purchase history?
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7 BY MR. MIGLIORI: 8 Q. Okay. My question was, 9 would you expect an order for a 10 controlled substance after July 5, 2012, 11 to be filled? 12 MR. McDONALD: Object to the 13 form. Asked and answered. 14 THE WITNESS: I cannot 15 answer that because it depends on 16 what the communication with the 17 DEA was. 18 THE REPORTER: Counsel on 19 the phone have asked that you 20 speak up. 21 BY MR. MIGLIORI: 7 regulatory, correct, at this time? 8 A. Yes, sir. 9 Q. He reported to you, correct? 10 A. Yes, sir. 11 Q. So other than these three 12 e-mails from the DEA, or two from the DE 13 asking for information about Dr. Heim, 14 have you seen any other correspondence 15 between the DEA and Henry Schein about 16 Dr. Heim and his controlled substance 17 purchase history? 18 A. Yes, sir. 10 A. Yes, sir. 11 Q. So other than these three 12 e-mails from the DEA, or two from the DE 13 asking for information about Dr. Heim, 14 have you seen any other correspondence 15 between the DEA and Henry Schein about 16 Dr. Heim and his controlled substance 17 purchase history? 18 A. Yes, sir. 19 Q. Did you say not that I recall. 19 Q. Did you say not that I

	ignly confidential - Subject to) I.	droner contractionary nevice
	Page 186		Page 188
1	A. No.	1 1	warehouse system, would that be in the
2	Q. Put up on the screen off the	l	JD Edwards system? What how would
3	computer at the break I printed out the	³ t	this trigger the DEA?
4	screen shot counsel was referring to in	4	A. So that that note would
5	his very concise objection.		be placed by Shaun or somebody in his
6	MR. McDONALD: Thank you.	⁶ t	team, somebody in the verifications team.
7	(Document marked for	7	Q. And by what process would an
8	identification as Exhibit	l	order prompt contacting Shaun? If
9	Henry Schein-Tejeda-11.)	l	Dr. Heim placed an order, how would it
10	BY MR. MIGLIORI:	_	prompt somebody to contact Shaun based on
11	Q. This is Exhibit 11. This is		that note, how does that work?
12	a screen shot related to Dr. Heim that we	12	A. I'm not sure what process
	received over the sometime over the	l	they put in place at the time. It could
	past week.		simply just regard the license number
15	Did you review this in	l	from the system.
	preparation for today?	16	Q. Okay. Do you know if that
17	A. I remember seeing this		was done here?
18	screen shot.	18	A. I don't know.
19	Q. Do you know which system	19	Q. If you go back to the due
20	this is printed off of?		diligence file for Dr. Heim, you'll see
21	It actually has on the title	l	that a month and a half later, the due
	"DEA/Proof License Maintenance."		diligence file Shaun directed that a
23	Do you know which database		new questionnaire be sent to Dr. Heim on
24	that is?	24 /	August 23, 2012, a month after the DEA
_	D 107		D 100
	Page 18/		Page 189
1	Page 187 A. It's something used by the	1 1	Page 189 made this inquiry.
1 2		1 1 2	made this inquiry.
	A. It's something used by the verifications team.	l	-
2 3	A. It's something used by the verifications team.Q. Okay. Is that separate and	2	made this inquiry. Do you see that? A. Yes.
3 4	A. It's something used by the verifications team.Q. Okay. Is that separate and apart, to your knowledge, from the due	2 3 4	made this inquiry. Do you see that? A. Yes. Q. The next day that
2 3 4 5	A. It's something used by the verifications team.Q. Okay. Is that separate and	2 3 4 5 (made this inquiry. Do you see that? A. Yes. Q. The next day that questionnaire was completed and placed in
2 3 4 5	A. It's something used by the verifications team. Q. Okay. Is that separate and apart, to your knowledge, from the due diligence printout that I showed you	2 3 4 5 (made this inquiry. Do you see that? A. Yes. Q. The next day that
2 3 4 5 6	A. It's something used by the verifications team. Q. Okay. Is that separate and apart, to your knowledge, from the due diligence printout that I showed you earlier?	2 3 4 5 6 6	made this inquiry. Do you see that? A. Yes. Q. The next day that questionnaire was completed and placed in a bin to be approved.
2 3 4 5 6 7	A. It's something used by the verifications team. Q. Okay. Is that separate and apart, to your knowledge, from the due diligence printout that I showed you earlier? I'll put it back on the	2 3 4 5 6 7	made this inquiry. Do you see that? A. Yes. Q. The next day that questionnaire was completed and placed in a bin to be approved. Do you see that?
2 3 4 5 6 7 8	A. It's something used by the verifications team. Q. Okay. Is that separate and apart, to your knowledge, from the due diligence printout that I showed you earlier? I'll put it back on the screen. I don't remember the exhibit number but	2 3 4 5 6 7 8 9	made this inquiry. Do you see that? A. Yes. Q. The next day that questionnaire was completed and placed in a bin to be approved. Do you see that? A. Yes.
2 3 4 5 6 7 8 9	A. It's something used by the verifications team. Q. Okay. Is that separate and apart, to your knowledge, from the due diligence printout that I showed you earlier? I'll put it back on the screen. I don't remember the exhibit	2 3 4 5 6 7 8 9	made this inquiry. Do you see that? A. Yes. Q. The next day that questionnaire was completed and placed in a bin to be approved. Do you see that? A. Yes. Q. And then that was given to
2 3 4 5 6 7 8 9 10	A. It's something used by the verifications team. Q. Okay. Is that separate and apart, to your knowledge, from the due diligence printout that I showed you earlier? I'll put it back on the screen. I don't remember the exhibit number but Is that a separate system	2 3 4 5 6 7 8 9 10	made this inquiry. Do you see that? A. Yes. Q. The next day that questionnaire was completed and placed in a bin to be approved. Do you see that? A. Yes. Q. And then that was given to Shaun.
2 3 4 5 6 7 8 9 10	A. It's something used by the verifications team. Q. Okay. Is that separate and apart, to your knowledge, from the due diligence printout that I showed you earlier? I'll put it back on the screen. I don't remember the exhibit number but Is that a separate system from the customer service imaging	2 3 4 5 6 8 9 10 11 12 t	made this inquiry. Do you see that? A. Yes. Q. The next day that questionnaire was completed and placed in a bin to be approved. Do you see that? A. Yes. Q. And then that was given to Shaun. Do you know what action was
2 3 4 5 6 7 8 9 10 11 12 13	A. It's something used by the verifications team. Q. Okay. Is that separate and apart, to your knowledge, from the due diligence printout that I showed you earlier? I'll put it back on the screen. I don't remember the exhibit number but Is that a separate system from the customer service imaging database?	2 3 4 5 6 7 8 9 10 11 12 13 1	Do you see that? A. Yes. Q. The next day that questionnaire was completed and placed in a bin to be approved. Do you see that? A. Yes. Q. And then that was given to Shaun. Do you know what action was taken at that point in August of 2012 on
2 3 4 5 6 7 8 9 10 11 12 13	A. It's something used by the verifications team. Q. Okay. Is that separate and apart, to your knowledge, from the due diligence printout that I showed you earlier? I'll put it back on the screen. I don't remember the exhibit number but Is that a separate system from the customer service imaging database? A. Again, I don't use the	2 3 4 5 6 7 8 9 10 11 12 13 1	made this inquiry. Do you see that? A. Yes. Q. The next day that questionnaire was completed and placed in a bin to be approved. Do you see that? A. Yes. Q. And then that was given to Shaun. Do you know what action was taken at that point in August of 2012 on whether or not to approve Dr. Heim for
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. It's something used by the verifications team. Q. Okay. Is that separate and apart, to your knowledge, from the due diligence printout that I showed you earlier? I'll put it back on the screen. I don't remember the exhibit number but Is that a separate system from the customer service imaging database? A. Again, I don't use the system so I couldn't tell you. Q. Okay. And here there is a	2 3 4 5 6 7 8 9 10 11 12 13 14 2 15	Do you see that? A. Yes. Q. The next day that questionnaire was completed and placed in a bin to be approved. Do you see that? A. Yes. Q. And then that was given to Shaun. Do you know what action was taken at that point in August of 2012 on whether or not to approve Dr. Heim for any further controlled substances? A. I wouldn't know just by
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. It's something used by the verifications team. Q. Okay. Is that separate and apart, to your knowledge, from the due diligence printout that I showed you earlier? I'll put it back on the screen. I don't remember the exhibit number but Is that a separate system from the customer service imaging database? A. Again, I don't use the system so I couldn't tell you. Q. Okay. And here there is a reference on Exhibit 11, which says, "Please contact Shaun to notify DEA if a	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 (6)	Do you see that? A. Yes. Q. The next day that questionnaire was completed and placed in a bin to be approved. Do you see that? A. Yes. Q. And then that was given to Shaun. Do you know what action was taken at that point in August of 2012 on whether or not to approve Dr. Heim for any further controlled substances? A. I wouldn't know just by looking at this document. Q. The last page of this due diligence file has a reference to
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. It's something used by the verifications team. Q. Okay. Is that separate and apart, to your knowledge, from the due diligence printout that I showed you earlier? I'll put it back on the screen. I don't remember the exhibit number but Is that a separate system from the customer service imaging database? A. Again, I don't use the system so I couldn't tell you. Q. Okay. And here there is a reference on Exhibit 11, which says, "Please contact Shaun to notify DEA if a control is ordered." And it's dated	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 19	Do you see that? A. Yes. Q. The next day that questionnaire was completed and placed in a bin to be approved. Do you see that? A. Yes. Q. And then that was given to Shaun. Do you know what action was taken at that point in August of 2012 on whether or not to approve Dr. Heim for any further controlled substances? A. I wouldn't know just by looking at this document. Q. The last page of this due diligence file has a reference to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. It's something used by the verifications team. Q. Okay. Is that separate and apart, to your knowledge, from the due diligence printout that I showed you earlier? I'll put it back on the screen. I don't remember the exhibit number but Is that a separate system from the customer service imaging database? A. Again, I don't use the system so I couldn't tell you. Q. Okay. And here there is a reference on Exhibit 11, which says, "Please contact Shaun to notify DEA if a control is ordered." And it's dated July 11, 2012. Do you see that notation? A. Yes, sir.	2 3 4 5 6 8 9 10 11 12 13 14 15 16 17 18 19 20	Do you see that? A. Yes. Q. The next day that questionnaire was completed and placed in a bin to be approved. Do you see that? A. Yes. Q. And then that was given to Shaun. Do you know what action was taken at that point in August of 2012 on whether or not to approve Dr. Heim for any further controlled substances? A. I wouldn't know just by looking at this document. Q. The last page of this due diligence file has a reference to something called MedPro. Do you see that? A. Yes, sir.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. It's something used by the verifications team. Q. Okay. Is that separate and apart, to your knowledge, from the due diligence printout that I showed you earlier? I'll put it back on the screen. I don't remember the exhibit number but Is that a separate system from the customer service imaging database? A. Again, I don't use the system so I couldn't tell you. Q. Okay. And here there is a reference on Exhibit 11, which says, "Please contact Shaun to notify DEA if a control is ordered." And it's dated July 11, 2012. Do you see that notation? A. Yes, sir.	2 3 4 5 6 7 8 9 10 11 12 13 14 3 15 16 17 18 19 20 21 22	Do you see that? A. Yes. Q. The next day that questionnaire was completed and placed in a bin to be approved. Do you see that? A. Yes. Q. And then that was given to Shaun. Do you know what action was taken at that point in August of 2012 on whether or not to approve Dr. Heim for any further controlled substances? A. I wouldn't know just by looking at this document. Q. The last page of this due diligence file has a reference to something called MedPro. Do you see that? A. Yes, sir.
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		5 I	
1	Page 190		Page 192
	is.	1	the rest of the Page 3, going onto
2	Q. What do you understand it to	2	Page 4, are the hydrocodone controlled
3	be?	3	substance orders that were filled,
4	A. MedPro is the third party	4	correct?
5	service that we contract with to verify	5	A. Correct.
6	license information.	6	Q. And when you go back to
7	Q. And this is done at the	7	Exhibit 11 that I was showing you under
8	onboarding, that is, bringing on of a new	8	MedPro, when the search was run in June,
9	customer at Schein?	9	before the very first order to Dr. Heim
10	A. This is a live process,	10	was filled, under the MedPro category of
11	because we refresh the data.	11	disciplinary action it says yes.
12	Q. You'll notice that the date	12	Do you see that?
13	of the MedPro search is June 3, 2011.	13	A. Yes.
14	Do you see that?	14	Q. Where would the follow-up to
15	A. Yes.	15	that disciplinary action be stored in
16	Q. Going back to the	16	Henry Schein?
17	transactional records of Dr. Heim, the	17	A. Today?
18	first order processed for hydrocodone is	18	Q. Today or in 2011 when this
19	dated August 17, 2011. It's on page	19	was done.
20	A. I'm sorry, which one of the	20	A. Today's process would be for
21	two are you	21	our teams to review it, and then it will
22	Q. It's Page 3 of that one	22	be stored either on their SOM system or
23	there which is exhibit what's the	23	on our SOM software.
24	number on that, Exhibit 7	24	Q. Is it random which system
	Page 191		Page 193
1	1 456 171		1 4ge 173
	A 7 okay	1	it's on or is it on both systems?
2	A. 7, okay.	1 2	it's on, or is it on both systems? When you say or, what does
	Q. Yeah. Page 3.	2	When you say or, what does
2	Q. Yeah. Page 3.A. Okay.	2	When you say or, what does that mean?
2 3 4	Q. Yeah. Page 3.A. Okay.Q. The first order is order	3	When you say or, what does that mean? A. Today's process, it depends
2 3 4	Q. Yeah. Page 3.A. Okay.Q. The first order is order date is August 17, 2011.	2 3 4 5	When you say or, what does that mean? A. Today's process, it depends on who conducted the review. If
2 3 4 5	Q. Yeah. Page 3. A. Okay. Q. The first order is order date is August 17, 2011. Do you see that?	2 3 4 5 6	When you say or, what does that mean? A. Today's process, it depends on who conducted the review. If regulatory conducted the review, it will
2 3 4 5 6	Q. Yeah. Page 3. A. Okay. Q. The first order is order date is August 17, 2011. Do you see that? A. Yes.	2 3 4 5 6 7	When you say or, what does that mean? A. Today's process, it depends on who conducted the review. If regulatory conducted the review, it will be housed in a system called FileMarker,
2 3 4 5 6 7	Q. Yeah. Page 3. A. Okay. Q. The first order is order date is August 17, 2011. Do you see that? A. Yes. Q. And it's to fill an order	2 3 4 5 6	When you say or, what does that mean? A. Today's process, it depends on who conducted the review. If regulatory conducted the review, it will be housed in a system called FileMarker, which is what we have implemented and
2 3 4 5 6 7 8	Q. Yeah. Page 3. A. Okay. Q. The first order is order date is August 17, 2011. Do you see that? A. Yes. Q. And it's to fill an order for controlled substances, correct, for	2 3 4 5 6 7 8	When you say or, what does that mean? A. Today's process, it depends on who conducted the review. If regulatory conducted the review, it will be housed in a system called FileMarker, which is what we have implemented and customized to be our software that we use
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2 3 4 5 6 7 8 9 10	Q. Yeah. Page 3. A. Okay. Q. The first order is order date is August 17, 2011. Do you see that? A. Yes. Q. And it's to fill an order for controlled substances, correct, for hydrocodone, correct? A. This order was for for hydrocodone, correct.	2 3 4 5 6 7 8 9 10	When you say or, what does that mean? A. Today's process, it depends on who conducted the review. If regulatory conducted the review, it will be housed in a system called FileMarker, which is what we have implemented and customized to be our software that we use for due diligence files. Q. That's separate and apart from verifications system?
2 3 4 5 6 7 8 9 10 11 12 13	Q. Yeah. Page 3. A. Okay. Q. The first order is order date is August 17, 2011. Do you see that? A. Yes. Q. And it's to fill an order for controlled substances, correct, for hydrocodone, correct? A. This order was for for hydrocodone, correct. Q. And the way that this	2 3 4 5 6 7 8 9 10 11 12 13	When you say or, what does that mean? A. Today's process, it depends on who conducted the review. If regulatory conducted the review, it will be housed in a system called FileMarker, which is what we have implemented and customized to be our software that we use for due diligence files. Q. That's separate and apart from verifications system? A. Verifications was integrated
2 3 4 5 6 7 8 9 10 11 12 13	Q. Yeah. Page 3. A. Okay. Q. The first order is order date is August 17, 2011. Do you see that? A. Yes. Q. And it's to fill an order for controlled substances, correct, for hydrocodone, correct? A. This order was for for hydrocodone, correct. Q. And the way that this information has been organized in this	2 3 4 5 6 7 8 9 10 11 12 13 14	When you say or, what does that mean? A. Today's process, it depends on who conducted the review. If regulatory conducted the review, it will be housed in a system called FileMarker, which is what we have implemented and customized to be our software that we use for due diligence files. Q. That's separate and apart from verifications system? A. Verifications was integrated to that system late last year. So there
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. Yeah. Page 3. A. Okay. Q. The first order is order date is August 17, 2011. Do you see that? A. Yes. Q. And it's to fill an order for controlled substances, correct, for hydrocodone, correct? A. This order was for for hydrocodone, correct. Q. And the way that this information has been organized in this spreadsheet, it's one bottle, 500 doses	2 3 4 5 6 7 8 9 10 11 12 13	When you say or, what does that mean? A. Today's process, it depends on who conducted the review. If regulatory conducted the review, it will be housed in a system called FileMarker, which is what we have implemented and customized to be our software that we use for due diligence files. Q. That's separate and apart from verifications system? A. Verifications was integrated to that system late last year. So there are still some separation of records.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. Yeah. Page 3. A. Okay. Q. The first order is order date is August 17, 2011. Do you see that? A. Yes. Q. And it's to fill an order for controlled substances, correct, for hydrocodone, correct? A. This order was for for hydrocodone, correct. Q. And the way that this information has been organized in this spreadsheet, it's one bottle, 500 doses of 10/500 milligrams, correct?	2 3 4 5 6 7 8 9 10 11 12 13 14	When you say or, what does that mean? A. Today's process, it depends on who conducted the review. If regulatory conducted the review, it will be housed in a system called FileMarker, which is what we have implemented and customized to be our software that we use for due diligence files. Q. That's separate and apart from verifications system? A. Verifications was integrated to that system late last year. So there are still some separation of records. Q. 2011, where would
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Yeah. Page 3. A. Okay. Q. The first order is order date is August 17, 2011. Do you see that? A. Yes. Q. And it's to fill an order for controlled substances, correct, for hydrocodone, correct? A. This order was for for hydrocodone, correct. Q. And the way that this information has been organized in this spreadsheet, it's one bottle, 500 doses of 10/500 milligrams, correct? A. 500 tabs, yes. Q. And that would have been filled based on the way this information is presented, correct? A. Based on how the report is presented, yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	When you say or, what does that mean? A. Today's process, it depends on who conducted the review. If regulatory conducted the review, it will be housed in a system called FileMarker, which is what we have implemented and customized to be our software that we use for due diligence files. Q. That's separate and apart from verifications system? A. Verifications was integrated to that system late last year. So there are still some separation of records. Q. 2011, where would disciplinary action strike that. You would agree with me that if a MedPro inquiry in 2011 generated a positive answer for disciplinary action, that under Henry Schein's "know your customer" due diligence system, that that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Yeah. Page 3. A. Okay. Q. The first order is order date is August 17, 2011. Do you see that? A. Yes. Q. And it's to fill an order for controlled substances, correct, for hydrocodone, correct? A. This order was for for hydrocodone, correct. Q. And the way that this information has been organized in this spreadsheet, it's one bottle, 500 doses of 10/500 milligrams, correct? A. 500 tabs, yes. Q. And that would have been filled based on the way this information is presented, correct? A. Based on how the report is	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	When you say or, what does that mean? A. Today's process, it depends on who conducted the review. If regulatory conducted the review, it will be housed in a system called FileMarker, which is what we have implemented and customized to be our software that we use for due diligence files. Q. That's separate and apart from verifications system? A. Verifications was integrated to that system late last year. So there are still some separation of records. Q. 2011, where would disciplinary action strike that. You would agree with me that if a MedPro inquiry in 2011 generated a positive answer for disciplinary action, that under Henry Schein's "know your

Page 194 Page 196 1 form. Q. I'm asking you, were you 2 ² aware that this doctor lost his license THE WITNESS: Under Henry for a period of time as a result of drug 3 Schein's due diligence process, there would be follow-up. ⁴ trafficking charges? A. No, I wasn't. BY MR. MIGLIORI: Q. I'm going to ask you to O. Yes? 7 assume that this doctor was convicted of A. That would be followed up. felony drug trafficking charges and lost 8 Q. And that information would be followed up in the first instance by his license for a period of time to verifications or by regulatory? practice medicine. Is that something, in A. By the department that is ¹¹ the Henry Schein due diligence "know your 11 customer" system that Henry Schein would ¹² conducting the due diligence. So if this ¹³ was conducted by verifications, it will ¹³ want to know about before filling the 14 first prescription or order of controlled ¹⁴ be verifications. Q. Okay. For a new client, substances? would that be verifications? 16 A. Our process is that we 17 collect as much information as we can on A. For a new account, that most ¹⁸ likely will be verifications. the -- during the due diligence process. Q. My question to you is a 19 Q. And it's important in a ²⁰ follow-up like this, especially if you're little more basic. At Henry Schein in 2011, would you want to know if a new 21 going to go ahead and ship controlled ²² substances to this doctor, that the file ²² customer of yours had a prior felony ²³ conviction for more than 20 counts of ²³ be documented that the follow-up has ²⁴ drug trafficking and lost his medical ²⁴ occurred, correct? Page 195 Page 197 ¹ license as a result of that in years 1 MR. McDONALD: Object to the ² prior? Would you want to know that in 2 form. THE WITNESS: Yes. ³ your "know your customer" obligations to the DEA? ⁴ BY MR. MIGLIORI: Q. Are you aware that this MR. McDONALD: Object to the ⁶ doctor in the 1990s was convicted of more 6 form. than 20 drug trafficking charges, felony THE WITNESS: I don't 8 charges? remember how in depth the process 9 MR. McDONALD: Object to the was at that point. If your 10 10 form. question is just if me personally 11 would like to know, again, we 11 THE WITNESS: No, I wasn't. 12 12 always strive to know as much --BY MR. MIGLIORI: Q. Were you aware that this 13 to get as much information of any 13 ¹⁴ doctor had lost his license to practice 14 account as we could. medicine for a period of time --15 BY MR. MIGLIORI: 16 MR. McDONALD: Objection. 16 Q. I'm asking, as the director of regulatory affairs, whether or not 17 BY MR. MIGLIORI: your system -- whether you would expect Q. -- because of that drug 18 your system to follow up on a MedPro trafficking charge? 19 20 disciplinary action that turned out to be MR. McDONALD: Object to the 21 more than 20 felony convictions for drug form. 22 THE WITNESS: This indicates trafficking? Is that what you would ²³ expect of your system to produce? 23 that the doctor had a license. MR. McDONALD: Object to the 24 ²⁴ BY MR. MIGLIORI:

Page 198 1 form. 2 THE WITNESS: Second, I'm 3 not trying to be difficult here, 4 but the system has been enabled, 5 and we always look for continuous Page 198 1 regulatory affairs, I believ already answered your que would strive to get as information as we could from account.	Page 200
THE WITNESS: Second, I'm not trying to be difficult here, but the system has been enabled, 2 already answered your que 3 We would strive to get as 4 information as we could fr	•
not trying to be difficult here, but the system has been enabled, 3 We would strive to get as information as we could fi	
but the system has been enabled, 4 information as we could fi	
5 and we always look for continuous 5 account	rom every
and we arways look for continuous account.	
6 improvement. I can't tell you 6 BY MR. MIGLIORI:	
7 what how in depth or what the 7 Q. As director of regulat	•
8 expectation was from the system at 8 affairs, if you found out that a	
⁹ that time. ⁹ potential customer had more th	nan 20
¹⁰ BY MR. MIGLIORI: ¹⁰ convictions, felony convictions	
Q. You could not tell me 11 trafficking, and you were asked	d to review
12 whether or not Henry Schein would want to 12 it at regulatory affairs as to wh	ether or
13 know whether one of its customers was 13 not that is an appropriate customers was 14 not that is an appropriate customers was 15 not that is a customer was 15 not	
14 convicted of drug trafficking charges? 14 Henry Schein in 2011, what we	ould you have
¹⁵ MR. McDONALD: Object to ¹⁵ concluded?	
form. 16 MR. McDONALD: O	bjection to
¹⁷ BY MR. MIGLIORI: ¹⁷ form. Improper hypotheti	cal.
Q. As director of regulatory 18 THE WITNESS: I wo	ould have
¹⁹ affairs for the company?	e to
MR. McDONALD: Object to the answer your question.	
²¹ form. ²¹ BY MR. MIGLIORI:	
Don, you're just arguing him 22 Q. So there are some doc	ctors
and asking the same question over 23 with more than 20 felony conv	victions for
and over. 24 drug trafficking charges that w	
Page 199	Page 201
	•
with windlight. Tou get about appropriate eastonier for frem	-
into words. That's chough.	
WIR. WEDOWNED. Well, you're	object to the
being abusive.	Inle gar
MR. MIGLIORI. John THE WITHLESS. I die	ın ı say
WIK. WEDOWALD. You know you that.	
are. BT WR. WIGLIORI.	~ to
	g 10
	ld hove
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on. Please stop. MR. McDONALD: You know why I'm interrupting you. 10 A. I'm saying that I wou 11 to review the file in order to be 12 for answer to give you a fe	
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on. Please stop. MR. McDONALD: You know why I'm interrupting you. MR. MIGLIORI: I know just stop. MR. MIGLIORI: One of the question? MR. McDONALD: You know why A. I'm saying that I wou to review the file in order to be for answer to give you a for on what the review was. One of the question of testimony. A. I'm saying that I wou to review the file in order to be for answer to give you a for on what the review was. One of the question of the file says that this custor that the file says that this custor that you have not yet filled a single of the question of	g you omer ingle that this than 20 fficking as the
on. Please stop. MR. McDONALD: You know why I'm interrupting you. MR. MIGLIORI: I know MR. MIGLIORI: I know MR. MIGLIORI: BY MR. MIGLIORI: O. You want her to read back MR. McDONALD: Yes, please. MR. McDONALD: Yes, please. MR. McDONALD: Yes, please. MR. McDONALD: Object to Io A. I'm saying that I wou to review the file in order to be for answer to give you a for answer to giv	g you omer ingle that this than 20 fficking as the whether or rry Schein
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Page 202 Page 204 1 MR. McDONALD: Object to the 1 just to look at a set of issues 2 form. and -- and facts and make a 3 3 THE WITNESS: Do you have determination on what we see. the file? If -- if there is any issues 5 with the character of the doctor, BY MR. MIGLIORI: 6 Q. Yeah. You have the file. I think the DEA and board of ⁷ That's the entire file. You're looking pharmacy are -- are the most --8 ⁸ at it right now. The MedPro inquiry is the bodies in the best position to ⁹ the only entry related to the make a judgment on that. BY MR. MIGLIORI: ¹⁰ disciplinary action that I'm asking you 10 ¹¹ about. 11 Q. So it's -- you just -- I 12 You said that the file says believe you just told me that it's not ¹³ that the doctor was convicted for more your position to pass judgment on the customer? than 20 felonies. 14 15 15 Q. No. The federal judge that MR. McDONALD: Object to the 16 ¹⁶ we're in front of in this case said that. form. Mischaracterizes testimony. 17 A. Oh, I'm sorry. I BY MR. MIGLIORI: Q. Isn't that the purpose of misunderstood. 18 19 "know your customer"? So what was your question A. Our mission is to put all 20 20 again? the information that we can together to Q. At Henry Schein, would you ²² want as a customer somebody that in your make a recommendation as far as the ²³ due diligence you found out had been company servicing that account or not. ²⁴ previously convicted of more than 20 Q. All that information you Page 203 Page 205 ¹ felony counts of drug trafficking ¹ just referenced, what were the ² charges? Is that a customer Henry Schein ² circumstances around the convictions, ³ would want for its controlled substances ³ what did the board of pharmacy decide, 4 what did they -- that's all part of "know 4 business? your customer," correct? 5 MR. McDONALD: Object to the 6 A. Today it is. form. 7 Q. And all of that information THE WITNESS: The proposed ⁸ would be in your due diligence file, 8 action of approving or before you took a person with a noted 9 disapproving an account is based on the review of the totality of disciplinary action history, you would 10 ¹¹ want all of that information, put it in 11 circumstances, not on one or two 12 the file and make a judgment, correct? factors. MR. McDONALD: Object to the 13 13 Also including issues as of, 14 14 okay, if the doctor had issues form. 15 15 with his license or was convicted THE WITNESS: We will -- all 16 16 of anything, so did he get his the information that we collect 17 17 license back, why did he get his will be in the due diligence file license back. Was it any review 18 18 today.

a judgment on the doctor or

customer.

of the medical board, how did the

DEA give the license back to the

So we are not there to make

practicing medicine. We're there

19

20

21

22

23

24

19 BY MR. MIGLIORI:

Q. All right. And so, that due

²¹ diligence file would have to have an

²² explanation that would be sufficient

²³ enough for Henry Schein to say that a ²⁴ person with more than 20 felony

20

	ighty Contidential - Subject to		
	Page 206		Page 208
1	convictions for drug trafficking, that	1	A. Yes, sir.
2		2	Q. They are a consultant to
3	and documented in the file for you to	3	Henry Schein, correct?
4	give that doctor an order of controlled	4	A. Yes, sir, they have been.
5	sucstanties, conferen	5	Q. And this Exhibit 12 is one
6	A. Yes.	6	of the Cegedim reports that Henry Schein
7	Q. And if it's not in the file,	7	commissioned, correct?
8	isn't it true, it doesn't exist?	8	I can tell you from the
9	MR. McDONALD: Object to the	9	metadata that the date of this document
10	form.	10	is January 28, 2008.
11	BY MR. MIGLIORI:	11	A. 2008, okay.
12	Q. Isn't it true in the	12	Q. So this you would have
13	regulatory world of regulatory affairs	13	been in regulatory affairs at this point,
14	and compliance, that that which is not	14	correct?
15	documented doesn't exist?	15	A. Correct.
16	MR. McDONALD: Object to the	16	Q. And it says in the
17	form.	17	discussion this is Cegedim consulting
18	THE WITNESS: That is to	18	to you, to your company:
19	say, that is not necessarily the	19	"As a part of Henry Schein's
20	truth.	20	revised suspicious order monitoring
21	BY MR. MIGLIORI:	21	system, all new accounts which handle
22	Q. Have you seen anything in	22	controlled substances will be the subject
23	any of your review of this case or what	23	of a due diligence inquiry."
24	was provided to you this week on	24	Did you understand in 2008
	Page 207		Page 209
	1 450 207		1 age 209
1	-	1	_
	Dr. Heim, where any follow-up or inquiry	1 2	to that be the new targeted goal? A. I know you're reading. I'm
2	Dr. Heim, where any follow-up or inquiry about his felony convictions was	2	to that be the new targeted goal?
2	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything?	2	to that be the new targeted goal? A. I know you're reading. I'm
3 4	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the	3	to that be the new targeted goal? A. I know you're reading. I'm just trying to see
3 4	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything?	2 3 4 5	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time.
2 3 4 5	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein	2 3 4 5	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where
2 3 4 5	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein	2 3 4 5 6 7	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the
2 3 4 5 6 7	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal	2 3 4 5 6 7	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the
2 3 4 5 6 7 8	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal background checks, even today, on new	2 3 4 5 6 7 8	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the first sentence right now.
2 3 4 5 6 7 8	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal background checks, even today, on new customers, correct?	2 3 4 5 6 7 8 9	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the first sentence right now. A. Okay.
2 3 4 5 6 7 8 9	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal background checks, even today, on new customers, correct? A. Are we supposed to?	2 3 4 5 6 7 8 9 10	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the first sentence right now. A. Okay. Q. "During the due diligence
2 3 4 5 6 7 8 9 10	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal background checks, even today, on new customers, correct? A. Are we supposed to? Q. My question to you is you	2 3 4 5 6 7 8 9 10 11 12	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the first sentence right now. A. Okay. Q. "During the due diligence inquiry, the new account holder will be
2 3 4 5 6 7 8 9 10 11 12	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal background checks, even today, on new customers, correct? A. Are we supposed to? Q. My question to you is you don't do it as of today, correct?	2 3 4 5 6 7 8 9 10 11 12 13	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the first sentence right now. A. Okay. Q. "During the due diligence inquiry, the new account holder will be interviewed by Schein staff over the
2 3 4 5 6 7 8 9 10 11 12 13	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal background checks, even today, on new customers, correct? A. Are we supposed to? Q. My question to you is you don't do it as of today, correct? A. Background checks on	2 3 4 5 6 7 8 9 10 11 12 13	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the first sentence right now. A. Okay. Q. "During the due diligence inquiry, the new account holder will be interviewed by Schein staff over the telephone to determine whether the new
2 3 4 5 6 7 8 9 10 11 12 13 14	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal background checks, even today, on new customers, correct? A. Are we supposed to? Q. My question to you is you don't do it as of today, correct? A. Background checks on customers, as a general rule, no.	2 3 4 5 6 7 8 9 10 11 12 13	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the first sentence right now. A. Okay. Q. "During the due diligence inquiry, the new account holder will be interviewed by Schein staff over the telephone to determine whether the new account appears to be qualified to handle
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal background checks, even today, on new customers, correct? A. Are we supposed to? Q. My question to you is you don't do it as of today, correct? A. Background checks on customers, as a general rule, no. (Document marked for	2 3 4 5 6 7 8 9 10 11 12 13 14 15	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the first sentence right now. A. Okay. Q. "During the due diligence inquiry, the new account holder will be interviewed by Schein staff over the telephone to determine whether the new account appears to be qualified to handle controlled substances."
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal background checks, even today, on new customers, correct? A. Are we supposed to? Q. My question to you is you don't do it as of today, correct? A. Background checks on customers, as a general rule, no. (Document marked for identification as Exhibit	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the first sentence right now. A. Okay. Q. "During the due diligence inquiry, the new account holder will be interviewed by Schein staff over the telephone to determine whether the new account appears to be qualified to handle controlled substances." That was another point that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal background checks, even today, on new customers, correct? A. Are we supposed to? Q. My question to you is you don't do it as of today, correct? A. Background checks on customers, as a general rule, no. (Document marked for identification as Exhibit Henry Schein-Tejeda-12.)	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the first sentence right now. A. Okay. Q. "During the due diligence inquiry, the new account holder will be interviewed by Schein staff over the telephone to determine whether the new account appears to be qualified to handle controlled substances." That was another point that Cegedim was recommending to Henry Schein,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal background checks, even today, on new customers, correct? A. Are we supposed to? Q. My question to you is you don't do it as of today, correct? A. Background checks on customers, as a general rule, no. (Document marked for identification as Exhibit Henry Schein-Tejeda-12.) BY MR. MIGLIORI:	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the first sentence right now. A. Okay. Q. "During the due diligence inquiry, the new account holder will be interviewed by Schein staff over the telephone to determine whether the new account appears to be qualified to handle controlled substances." That was another point that Cegedim was recommending to Henry Schein, correct, in 2008?
2 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal background checks, even today, on new customers, correct? A. Are we supposed to? Q. My question to you is you don't do it as of today, correct? A. Background checks on customers, as a general rule, no. (Document marked for identification as Exhibit Henry Schein-Tejeda-12.) BY MR. MIGLIORI: Q. Okay. Let me show you	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the first sentence right now. A. Okay. Q. "During the due diligence inquiry, the new account holder will be interviewed by Schein staff over the telephone to determine whether the new account appears to be qualified to handle controlled substances." That was another point that Cegedim was recommending to Henry Schein, correct, in 2008? A. Correct.
2 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal background checks, even today, on new customers, correct? A. Are we supposed to? Q. My question to you is you don't do it as of today, correct? A. Background checks on customers, as a general rule, no. (Document marked for identification as Exhibit Henry Schein-Tejeda-12.) BY MR. MIGLIORI: Q. Okay. Let me show you Exhibit 12. You had lots of interaction	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the first sentence right now. A. Okay. Q. "During the due diligence inquiry, the new account holder will be interviewed by Schein staff over the telephone to determine whether the new account appears to be qualified to handle controlled substances." That was another point that Cegedim was recommending to Henry Schein, correct, in 2008? A. Correct. Q. "Information acquired during
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal background checks, even today, on new customers, correct? A. Are we supposed to? Q. My question to you is you don't do it as of today, correct? A. Background checks on customers, as a general rule, no. (Document marked for identification as Exhibit Henry Schein-Tejeda-12.) BY MR. MIGLIORI: Q. Okay. Let me show you Exhibit 12. You had lots of interaction with a company called Cegedim Dendrite,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the first sentence right now. A. Okay. Q. "During the due diligence inquiry, the new account holder will be interviewed by Schein staff over the telephone to determine whether the new account appears to be qualified to handle controlled substances." That was another point that Cegedim was recommending to Henry Schein, correct, in 2008? A. Correct. Q. "Information acquired during the interview may include obvious
2 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Dr. Heim, where any follow-up or inquiry about his felony convictions was undertaken, did you see anything? A. Again, I didn't review the file in completeness. Q. In fact, Henry Schein doesn't do background checks, criminal background checks, even today, on new customers, correct? A. Are we supposed to? Q. My question to you is you don't do it as of today, correct? A. Background checks on customers, as a general rule, no. (Document marked for identification as Exhibit Henry Schein-Tejeda-12.) BY MR. MIGLIORI: Q. Okay. Let me show you Exhibit 12. You had lots of interaction with a company called Cegedim Dendrite, correct, over the several decades that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	to that be the new targeted goal? A. I know you're reading. I'm just trying to see Q. Take your time. A where you where what the Q. I'm reading fright from the first sentence right now. A. Okay. Q. "During the due diligence inquiry, the new account holder will be interviewed by Schein staff over the telephone to determine whether the new account appears to be qualified to handle controlled substances." That was another point that Cegedim was recommending to Henry Schein, correct, in 2008? A. Correct. Q. "Information acquired during the interview may include obvious information such as licenses and

Page 210 Page 212 ¹ the verifications department, correct? A. Okay. So -- so then, my ² understanding of this is that they were A. Correct. ³ asking us to implement a document that we Q. "Additional personal ⁴ information such as dates of birth, ⁴ asked the customer to provide with some ⁵ information that will allow us to make a ⁵ social security numbers, this information determination on the potential use of the ⁶ will be used for public record ⁷ inquiries." drugs. That's another O. The customer should be recommendation of Cegedim, correct? provided with a document with information pertaining to controlled substances. Did 10 Α. That is correct. you provide a document to your customers 11 O. And then what controlled with information pertaining to controlled substances a customer anticipates ¹³ ordering including quantities. That was substances? ¹⁴ a reasonable suggestion of Cegedim in 14 A. We have a welcome package ¹⁵ 2008 for new customers, correct? that we provide to the customers. It 16 ¹⁶ contains several pieces that refer to A. That was a suggestion of ¹⁷ Cegedim. 17 controlled substances. 18 Q. "After the interview, the Q. It might be advisable to 19 customer should be provided with a ¹⁹ have a signed document from the client ²⁰ document with information pertaining to acknowledging his or her receipt and understanding of the information. Do you ²¹ controlled substances which addresses ²² make them sign for it, that welcome ²² basic legal issue" -- "issues such as ²³ legitimate medical use." 23 package? 24 Do you know if you ever A. Yes. Page 211 Page 213 ¹ implemented that recommendation of Q. A background investigation ² Cegedim, that once you bring out a new ² should be conducted to determine whether ³ customer of Henry Schein, you give them ³ there are convictions or regulatory ⁴ some kind of documentation of appropriate ⁴ actions in the client's past that may ⁵ affect their suitability for ordering ⁵ legitimate medical use for controlled ⁶ substances? ⁶ controlled substances. 7 A. Yeah. They complete a Do you recall in 2008 questionnaire. ⁸ Cegedim advising you that you should do 9 Q. Like, this -criminal background checks of your new 10 A. And they are -- they are ¹⁰ customers? 11 ¹¹ asked about it. A. I don't recall the conversation in 2008. I don't think that Q. This says you would give 13 them a basic legal issues document once 13 this says that we need to do background 14 you brought them onboard. Did you ever ¹⁴ checks on customers. We need to do start doing that? background investigations, which is what 16 ¹⁶ we implemented. MR. McDONALD: Object to the 17 17 Q. "A background investigation form. 18 should be conducted to determine whether THE WITNESS: I'm not sure 19 what is your understanding of there are convictions." 20 20 basic legal issues. Do you know what convictions ²¹ are? 21 BY MR. MIGLIORI: 22 Q. Well, this is -- my -- my 22 A. Yes, sir. ²³ understanding doesn't matter. This is 23 They're criminal, right? Q. 24 ²⁴ between you and your consultant. A. Right.

	Page 214		Page 216
1	Q. All right. So you don't	1	criminal convictions be conducted of each
2	know if this recommendation refers to	2	new client?
3	doing background investigation of	3	A. I agree to that, and I also
4	convictions?	4	
5		5	Q. You did?
6		6	A. Yes.
7	• •	7	Q. Show me where in Brian
8	"checks" out. Did you ever implement the	8	
9		9	of criminal background checks?
	2008 to present where you, Henry Schein,	10	A. I don't know if I have the
			entire file in front of me.
	do background investigations to determine	12	
	whether there are convictions of your		Q. I can represent to you you
	customers' or clients' pasts that may	1	do, because this is all I have. This is
	affect their suitability?	1	what was provided to me. This is my
15	71. We do all ill deput teview of	15	
- 1	any documents that are publicly	16	
17	avanaoic.	17	as you want.
18	Q. Okay. Well, you see that	18	A. Okay.
	one of the things is to provide the birth	19	Q. You can even count it
20	date and social security numbers to	20	against my time.
	perform public record inquiries.	21	A. I'm sorry?
22	Do you see that?	22	Q. You can take as much time as
23	A. Yeah, we don't we don't	23	you'd like.
24	ask for social security numbers.	24	MR. McDONALD: Well, for the
_		1	
	Page 215		Page 217
1	_	1	_
	Q. So you didn't follow that	1 2	record, that is not the entire
	Q. So you didn't follow that recommendation of Cegedim?		record, that is not the entire file. There's the other screen
3	Q. So you didn't follow thatrecommendation of Cegedim?A. That might be something that	2	record, that is not the entire file. There's the other screen shot as well as the information
3	Q. So you didn't follow that recommendation of Cegedim? A. That might be something that we either disagree or we found that it	2	record, that is not the entire file. There's the other screen shot as well as the information that we produced to you about the
3	Q. So you didn't follow that recommendation of Cegedim? A. That might be something that we either disagree or we found that it wasn't really a suitable recommendation.	3 4	record, that is not the entire file. There's the other screen shot as well as the information that we produced to you about the DEA inquiry.
2 3 4 5	Q. So you didn't follow that recommendation of Cegedim? A. That might be something that we either disagree or we found that it wasn't really a suitable recommendation. Q. So you don't get social	2 3 4 5	record, that is not the entire file. There's the other screen shot as well as the information that we produced to you about the DEA inquiry. MR. MIGLIORI: Those are
2 3 4 5	Q. So you didn't follow that recommendation of Cegedim? A. That might be something that we either disagree or we found that it wasn't really a suitable recommendation. Q. So you don't get social security background information?	2 3 4 5 6	record, that is not the entire file. There's the other screen shot as well as the information that we produced to you about the DEA inquiry. MR. MIGLIORI: Those are both in front of you.
2 3 4 5 6	Q. So you didn't follow that recommendation of Cegedim? A. That might be something that we either disagree or we found that it wasn't really a suitable recommendation. Q. So you don't get social security background information? A. No.	2 3 4 5 6 7	record, that is not the entire file. There's the other screen shot as well as the information that we produced to you about the DEA inquiry. MR. MIGLIORI: Those are both in front of you. One is all three of those
2 3 4 5 6 7	Q. So you didn't follow that recommendation of Cegedim? A. That might be something that we either disagree or we found that it wasn't really a suitable recommendation. Q. So you don't get social security background information? A. No. Q. And so you don't do	2 3 4 5 6 7 8	record, that is not the entire file. There's the other screen shot as well as the information that we produced to you about the DEA inquiry. MR. MIGLIORI: Those are both in front of you. One is all three of those documents are in front of him.
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	D 010	J 1	D 220
	Page 218		Page 220
1	numbers if you want.		front of me, I cannot say if it was done
2	MR. MIGLIORI: I would love		or not.
3	it.	3	Q. There's no evidence of it in
4	MR. McDONALD: Sure.	1	any of the documents that you've seen
5	MR. MIGLIORI: You can't be		today or yesterday in preparation,
6	shocked at my frustration with		concer.
7	getting a production in April on	7	A. There's no evidence that it
8	this. You can't be. And I	1	was done. I would suggest that there is
9	haven't given you any gripe about	9	no evidence that it wasn't done either.
10	it. But don't act exasperated.	10	Q. Well, is that how the Henry
11	MR. McDONALD: I am not	11	Schein due diligence system works?
12	exasperated. I had a conversation	12	A. No, sir.
13	with your colleague	13	Q. The absence of evidence is
14	MR. MIGLIORI: It doesn't	14	sufficient to go ahead and fill orders of
15	matter. It was produced in April.	15	controlled substances to doctors with
16	MR. McDONALD: And you know	16	felony convictions?
17	why?	17	A. No, sir. The Henry Schein
18	MR. MIGLIORI: It was	18	due diligence files are very complete and
19	requested in August. It's been	19	inclusive of any write-up of the
20	four days.	20	recommendation of whoever review the
21	MR. McDONALD: 648727 to	21	file.
22	648728.	22	Q. But Henry Schein due
23	MR. MIGLIORI: Is that a	23	diligence records were not complete in
24	criminal background check?	24	2011, were they, sir?
	D 210		
	Page 719		Рабе 221
1	Page 219 MR McDONALD: Ldon't think	1	Page 221
1 2	MR. McDONALD: I don't think	1 2	A. It has been a work in
2	MR. McDONALD: I don't think there's a criminal background	2	A. It has been a work in progress. There has been a process, that
2 3	MR. McDONALD: I don't think there's a criminal background check in there. But that's the	2 3	A. It has been a work in progress. There has been a process, that as we learn, we have implemented best
2 3 4	MR. McDONALD: I don't think there's a criminal background check in there. But that's the rest of the DEA file. You guys	2 3 4	A. It has been a work in progress. There has been a process, that as we learn, we have implemented best practices. There has been something that
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. McDONALD: I don't think there's a criminal background check in there. But that's the rest of the DEA file. You guys have it. BY MR. MIGLIORI: Q. Do you see any reference in the exhibit that you have or in anything that you were shown yesterday about Dr. Heim to a criminal background check, including the documents produced to us last week that you reviewed? A. I don't see any notes under review of the information provided by Dr. Heim. Q. So in 2008 when Cegedim recommended background investigations to determine whether there are convictions that may affect the suitability for ordering controlled substances, at least in Dr. Heim's case, that was not done based on the records we have in front of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. It has been a work in progress. There has been a process, that as we learn, we have implemented best practices. There has been something that we would have hoped that we'd get some guidance from the DEA to see what needed to be done and what needed to be implemented. Q. Are you saying that it is the DEA that failed to get due diligence on 60 percent of the 40,000 customers that you had in 2013? Is that the DEA's fault? MR. McDONALD: Object to the form. THE WITNESS: I'm saying that the DEA failed to provide proper instructions to industry on how to what the expectations were and how to perform due diligence. BY MR. MIGLIORI:
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR. McDONALD: I don't think there's a criminal background check in there. But that's the rest of the DEA file. You guys have it. BY MR. MIGLIORI: Q. Do you see any reference in the exhibit that you have or in anything that you were shown yesterday about Dr. Heim to a criminal background check, including the documents produced to us last week that you reviewed? A. I don't see any notes under review of the information provided by Dr. Heim. Q. So in 2008 when Cegedim recommended background investigations to determine whether there are convictions that may affect the suitability for ordering controlled substances, at least in Dr. Heim's case, that was not done	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. It has been a work in progress. There has been a process, that as we learn, we have implemented best practices. There has been something that we would have hoped that we'd get some guidance from the DEA to see what needed to be done and what needed to be implemented. Q. Are you saying that it is the DEA that failed to get due diligence on 60 percent of the 40,000 customers that you had in 2013? Is that the DEA's fault? MR. McDONALD: Object to the form. THE WITNESS: I'm saying that the DEA failed to provide proper instructions to industry on how to what the expectations were and how to perform due diligence.

Page 222 Page 224 ¹ system, correct? ¹ correct? 2 A. Say that again. A. August of 2013, yes. 3 Q. Bullet point Number 1. All MR. McDONALD: Object to ⁴ right, let me start with the top. form. BY MR. MIGLIORI: "Jeff, here are the areas Q. Tiffany Steffanie-Oak ⁶ that I think represent the highest ⁷ reported to you in 2013, that 60 percent ⁷ regulatory risk for the company at this ⁸ of your customers had no due diligence, point, August of 2013." ⁹ and the other 40 percent had varying Do you recall writing this? 10 ¹⁰ degrees of due diligence in their files, A. I don't. ¹¹ based on Henry Schein's "know your 11 "One, DEA customer due O. ¹² customer" system, correct? diligence. I have to agree with Tina 13 A. Again, I already told you that this is the area of most risk. A ¹⁴ that it was a process. It was over ¹⁴ couple of additional pieces to consider ¹⁵ 20,000 customers that needed to be worked on this issue." on, and it took some time to get there. Do you remember customer due 17 diligence being a highest degree of risk Q. Maybe you can answer my ¹⁸ question. My question to you was, more with respect to DEA compliance? 19 than 60 percent of your customers in 2013 A. I remembered something that ²⁰ had no due diligence in their files based we were always on our top priority to ²¹ on the due diligence system that Henry complete. ²² Schein had in place, correct? Q. Right. And approximately ²³ number -- "Approximate number of new 23 A. I couldn't tell you what we ²⁴ had, what we had in file in 2013. I can accounts opened in a daily basis is 150. Page 223 Page 225 ¹ From to those, an appropriate 4 to ¹ tell you that on or about 2015, we make ² 5 percent will place an order for ² sure that all the customers that were ³ ordering controlled substances would have ³ controlled substances. Using the ⁴ a due diligence file. ⁴ 4 percent that equates to 1,560 new Q. Your due diligence was ⁵ accounts ordering controlled substances ⁶ finally complete by 2015? ⁶ each year." A. Our due diligence process Do you recall performing ⁸ was close to the fact that if a customer that analysis? ⁹ ordered a controlled substance, they A. I don't recall, but I ¹⁰ will -- and they didn't have a due certainly did. ¹¹ diligence file, they will be required to Q. "Tina based her analysis on provide information so we can build a due 2012 numbers. I learned from a recent ¹³ diligence file. ¹³ conversation with Shaun Abreu, 14 (Document marked for ¹⁴ verifications manager, that the number of 15 active accounts ordering controlled identification as Exhibit ¹⁶ substances products is now closer to 16 Henry Schein-Tejeda-13.) BY MR. MIGLIORI: ¹⁷ 40,000 and that we have completed due 18 Q. Exhibit 13. This is your ¹⁸ diligence for about 13,000 accounts." 19 e-mail to Jeff Peacock, correct? 19 Do you recall that 27,000 20 accounts, as of the writing of this A. Okav. 21 document in August of 2013, had no due Jeff Peacock is your boss, Q. ²² correct? diligence in them? 23 A. They didn't have a complete A. Yes, sir.

This is August of 2013,

24

²⁴ due diligence file, yeah.

			7
	Page 226	,	Page 228
1	Q. 27,000 accounts for	1	A. I listen, it's in
2	customers that were expected to order		writing. However, I cannot remember the
3	controlled bubblance had no due		conversations around it.
4	diligence, correct?	4	Q. I'll show you her
5	A. Correct.	5	presentation. This is Exhibit 14.
6	Q. And based on the estimates	6	(Document marked for
7	then, you drant expect to be eaught up	7	identification as Exhibit
8	in this process for another three years,	8	Henry Schein-Tejeda-14.)
9	correct?	9	BY MR. MIGLIORI:
10	A. That's what it says, yes.	10	Q. Exhibit 14, this is Tina
11	Q. Do you think you may have	11	Steffanie-Oak. She reported to you,
12	gotten it done in 2015, instead of 2016,	12	correct?
13	correct?	13	A. Yes, she did.
14	A. Yeah, the the completion	14	Q. And this is dated November
15	of due diligence file for all accounts	15	of 2013. So this is actually after your
16	was done around that time. However, we		e-mail here.
	put the process in place to ensure that	17	A. Okay.
	if an account doesn't have a due	18	Q. If you turn to the second
19	diligence on file and places an order,	19	page of it.
20	then we will be required to complete one.	20	A. Okay.
21	Q. But that	21	Q. "Opportunity/issue. Are we
22	A. That was on or about 2015.	22	in substantial compliance with DEA
23	Q. Let's explore that.		suspicious order monitoring 'know your
24	So there are through		customer' regulations?
,	Page 227	,	Page 229
	2013, there are 27,000 doctors and	1	"Answer: We do not have
2	2013, there are 27,000 doctors and prescriber and and facilities	2	"Answer: We do not have know your customer due diligence for
3	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry	2	"Answer: We do not have know your customer due diligence for approximately 60 percent of our
3 4	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required	2 3 4	"Answer: We do not have know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has
2 3 4 5	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct?	2 3 4 5	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files
2 3 4 5 6	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the	2 3 4 5 6	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)."
2 3 4 5 6 7	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form.	2 3 4 5 6 7	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling
2 3 4 5 6 7 8	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the	2 3 4 5 6 7 8	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that?
2 3 4 5 6 7 8	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the complete due diligence file.	2 3 4 5 6 7 8	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that? A. I vaguely recall this
2 3 4 5 6 7 8 9	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the complete due diligence file. BY MR. MIGLIORI:	2 3 4 5 6 7 8 9	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that? A. I vaguely recall this presentation.
2 3 4 5 6 7 8 9 10	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the complete due diligence file. BY MR. MIGLIORI: Q. No. The 27,000 represents	2 3 4 5 6 7 8 9 10	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that? A. I vaguely recall this presentation. Q. And what we know from other
2 3 4 5 6 7 8 9 10 11	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the complete due diligence file. BY MR. MIGLIORI: Q. No. The 27,000 represents those that had no due diligence. The	2 3 4 5 6 7 8 9 10 11	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that? A. I vaguely recall this presentation. Q. And what we know from other distributor DEA civil actions and recent
2 3 4 5 6 7 8 9 10 11 12 13	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the complete due diligence file. BY MR. MIGLIORI: Q. No. The 27,000 represents those that had no due diligence. The 13,000 represents due diligence of	2 3 4 5 6 7 8 9 10 11 12 13	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that? A. I vaguely recall this presentation. Q. And what we know from other distributor DEA civil actions and recent DEA sponsored conferences, the fact that
2 3 4 5 6 7 8 9 10 11 12 13	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the complete due diligence file. BY MR. MIGLIORI: Q. No. The 27,000 represents those that had no due diligence. The 13,000 represents due diligence of varying degrees, correct?	2 3 4 5 6 7 8 9 10 11 12 13	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that? A. I vaguely recall this presentation. Q. And what we know from other distributor DEA civil actions and recent DEA sponsored conferences, the fact that a customer has a valid DEA registration
2 3 4 5 6 7 8 9 10 11 12 13 14 15	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the complete due diligence file. BY MR. MIGLIORI: Q. No. The 27,000 represents those that had no due diligence. The 13,000 represents due diligence of varying degrees, correct? MR. McDONALD: Object to	2 3 4 5 6 7 8 9 10 11 12 13 14	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that? A. I vaguely recall this presentation. Q. And what we know from other distributor DEA civil actions and recent DEA sponsored conferences, the fact that a customer has a valid DEA registration is not enough due diligence to know your
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the complete due diligence file. BY MR. MIGLIORI: Q. No. The 27,000 represents those that had no due diligence. The 13,000 represents due diligence of varying degrees, correct? MR. McDONALD: Object to form.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that? A. I vaguely recall this presentation. Q. And what we know from other distributor DEA civil actions and recent DEA sponsored conferences, the fact that a customer has a valid DEA registration is not enough due diligence to know your customer.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the complete due diligence file. BY MR. MIGLIORI: Q. No. The 27,000 represents those that had no due diligence. The 13,000 represents due diligence of varying degrees, correct? MR. McDONALD: Object to form. BY MR. MIGLIORI:	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that? A. I vaguely recall this presentation. Q. And what we know from other distributor DEA civil actions and recent DEA sponsored conferences, the fact that a customer has a valid DEA registration is not enough due diligence to know your customer. You appreciated that in
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the complete due diligence file. BY MR. MIGLIORI: Q. No. The 27,000 represents those that had no due diligence. The 13,000 represents due diligence of varying degrees, correct? MR. McDONALD: Object to form. BY MR. MIGLIORI: Q. Do you remember that from	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that? A. I vaguely recall this presentation. Q. And what we know from other distributor DEA civil actions and recent DEA sponsored conferences, the fact that a customer has a valid DEA registration is not enough due diligence to know your customer. You appreciated that in 2013, correct?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the complete due diligence file. BY MR. MIGLIORI: Q. No. The 27,000 represents those that had no due diligence. The 13,000 represents due diligence of varying degrees, correct? MR. McDONALD: Object to form. BY MR. MIGLIORI: Q. Do you remember that from Tina?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that? A. I vaguely recall this presentation. Q. And what we know from other distributor DEA civil actions and recent DEA sponsored conferences, the fact that a customer has a valid DEA registration is not enough due diligence to know your customer. You appreciated that in 2013, correct? A. Correct.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the complete due diligence file. BY MR. MIGLIORI: Q. No. The 27,000 represents those that had no due diligence. The 13,000 represents due diligence of varying degrees, correct? MR. McDONALD: Object to form. BY MR. MIGLIORI: Q. Do you remember that from Tina? MR. McDONALD: Object to the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that? A. I vaguely recall this presentation. Q. And what we know from other distributor DEA civil actions and recent DEA sponsored conferences, the fact that a customer has a valid DEA registration is not enough due diligence to know your customer. You appreciated that in 2013, correct? A. Correct. Q. You appreciated that in
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the complete due diligence file. BY MR. MIGLIORI: Q. No. The 27,000 represents those that had no due diligence. The 13,000 represents due diligence of varying degrees, correct? MR. McDONALD: Object to form. BY MR. MIGLIORI: Q. Do you remember that from Tina? MR. McDONALD: Object to the form.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that? A. I vaguely recall this presentation. Q. And what we know from other distributor DEA civil actions and recent DEA sponsored conferences, the fact that a customer has a valid DEA registration is not enough due diligence to know your customer. You appreciated that in 2013, correct? A. Correct. Q. You appreciated that in 2008, correct?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the complete due diligence file. BY MR. MIGLIORI: Q. No. The 27,000 represents those that had no due diligence. The 13,000 represents due diligence of varying degrees, correct? MR. McDONALD: Object to form. BY MR. MIGLIORI: Q. Do you remember that from Tina? MR. McDONALD: Object to the form. BY MR. MIGLIORI:	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that? A. I vaguely recall this presentation. Q. And what we know from other distributor DEA civil actions and recent DEA sponsored conferences, the fact that a customer has a valid DEA registration is not enough due diligence to know your customer. You appreciated that in 2013, correct? A. Correct. Q. You appreciated that in 2008, correct? A. Correct.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	2013, there are 27,000 doctors and prescriber and and facilities ordering controlled substances from Henry Schein without the due diligence required from DEA to know your customer, correct? MR. McDONALD: Object to the form. THE WITNESS: Without the complete due diligence file. BY MR. MIGLIORI: Q. No. The 27,000 represents those that had no due diligence. The 13,000 represents due diligence of varying degrees, correct? MR. McDONALD: Object to form. BY MR. MIGLIORI: Q. Do you remember that from Tina? MR. McDONALD: Object to the form.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	"Answer: We do not have 'know your customer' due diligence for approximately 60 percent of our customers. Remaining 40 percent has varying degrees of due diligence, (files are not consistent)." Do you recall her telling you that? A. I vaguely recall this presentation. Q. And what we know from other distributor DEA civil actions and recent DEA sponsored conferences, the fact that a customer has a valid DEA registration is not enough due diligence to know your customer. You appreciated that in 2013, correct? A. Correct. Q. You appreciated that in 2008, correct?

	D 220	_	
	Page 230		Page 232
1	It's the last document, of	1	completed due difficilles for
2	course. Exhibit Number 15.	2	all the accounts that we have.
3	(Document marked for		BY MR. MIGLIORI:
4	identification as Exhibit	4	Q. This report and
5	Henry Schein-Tejeda-15.)	5	recommendation is dated December 16,
6	BY MR. MIGLIORI:		2007.
7	Q. This one is dated	7	A. Okay.
8	December 16, 2009.	8	Q. You said you promptly
9	A. Okay.	9	responded to this recommendation?
10	Q. This is a Schein suspicious	10	A. Yes, we did.
11	order monitoring procedural review.	11	Q. In 2013, according to your
12	At this point you are in		employee, 60 percent of those files had
	regulatory affairs, correct?	13	nothing in them for due diligence,
14	A. This was dated 2009, yes.		correct?
15	Q. And if you go to conclusions	15	A. Correct.
16	on Page 4 of the document, these are my	16	Q. Is that prompt response to
17	highlights on the screen.	17	the new oncourding due differee know
18	A. Okay.	18	your customer" process at Henry Schein?
19	Q. And if you look at the big	19	MR. McDONALD: Object to the
20	on here, eegediii, ander its conclusions	20	form.
	in 2009 says, "New accounts are opened	21	THE WITNESS: Yeah. We set
	without sufficient due diligence	22	processes to look at the accounts
	investigations or inquiries. For the	23	based on risk level. We
24	most part, new accounts are opened based	24	prioritize it that way. We
1		1	
	Page 231		Page 233
1	Page 231 upon a verification of the customer's DEA	1	Page 233 prioritize new accounts.
	_	1 2	prioritize new accounts.
	upon a verification of the customer's DEA		prioritize new accounts. So if you are telling me you
2	upon a verification of the customer's DEA number which is not considered adequate	2	prioritize new accounts. So if you are telling me you
3 4	upon a verification of the customer's DEA number which is not considered adequate by the DEA."	2 3	prioritize new accounts. So if you are telling me you are expecting me to say from this
3 4	upon a verification of the customer's DEA number which is not considered adequate by the DEA." You appreciated that in	3 4	prioritize new accounts. So if you are telling me you are expecting me to say from this day till tomorrow, we wouldn't be expected to have due diligence
2 3 4 5	upon a verification of the customer's DEA number which is not considered adequate by the DEA." You appreciated that in 2009, correct? A. Yes.	2 3 4 5	prioritize new accounts. So if you are telling me you are expecting me to say from this day till tomorrow, we wouldn't be
2 3 4 5 6	upon a verification of the customer's DEA number which is not considered adequate by the DEA." You appreciated that in 2009, correct? A. Yes. Q. And Cegedim was telling you	2 3 4 5 6	prioritize new accounts. So if you are telling me you are expecting me to say from this day till tomorrow, we wouldn't be expected to have due diligence accounts for every customer, well,
2 3 4 5 6 7	upon a verification of the customer's DEA number which is not considered adequate by the DEA." You appreciated that in 2009, correct? A. Yes.	2 3 4 5 6 7	prioritize new accounts. So if you are telling me you are expecting me to say from this day till tomorrow, we wouldn't be expected to have due diligence accounts for every customer, well, that's a little unrealistic.
2 3 4 5 6 7 8	upon a verification of the customer's DEA number which is not considered adequate by the DEA." You appreciated that in 2009, correct? A. Yes. Q. And Cegedim was telling you that what you were doing was not sufficient for DEA compliance, correct?	2 3 4 5 6 7 8	prioritize new accounts. So if you are telling me you are expecting me to say from this day till tomorrow, we wouldn't be expected to have due diligence accounts for every customer, well, that's a little unrealistic. BY MR. MIGLIORI:
2 3 4 5 6 7 8	upon a verification of the customer's DEA number which is not considered adequate by the DEA." You appreciated that in 2009, correct? A. Yes. Q. And Cegedim was telling you that what you were doing was not sufficient for DEA compliance, correct? A. Cegedim was giving their	2 3 4 5 6 7 8	prioritize new accounts. So if you are telling me you are expecting me to say from this day till tomorrow, we wouldn't be expected to have due diligence accounts for every customer, well, that's a little unrealistic. BY MR. MIGLIORI: Q. You were told in 2009 that what you were doing to open a new account
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Page 234	Page 236
¹ form. Mischaracterizes the	¹ show me in any document that you've seen
² document.	² over the 26 hours of preparation that
³ MR. MIGLIORI: It's on the	³ these 27,000 client customers of yours
screen right here.	⁴ didn't get controlled substances?
⁵ BY MR. MIGLIORI:	5 MR. McDONALD: Object to the
⁶ Q. You write to Jeff Peacock,	form. Don't argue with him, okay?
⁷ in August of 2013, and you say that you	⁷ MR. MIGLIORI: I'm not.
⁸ learned from these conversations that the	8 MR. McDONALD: Yeah, you
⁹ number of active accounts ordering	⁹ are.
¹⁰ controlled substance products is now	¹⁰ MR. MIGLIORI: No, I'm
11 closer to 40,000 and that we have	asking him a question. Where are
¹² completed due diligence for about 13,000;	12 the
therefore, the gap is now 27,000	MR. McDONALD: Come on, Don.
14 accounts.	Really. Ask a question.
A. That's what is written, yes.	15 BY MR. MIGLIORI:
Q. So this is now four years	Q. Where's a where's a
¹⁷ after the Cegedim recommendation and	document that shows that these 27,000
18 notification to Henry Schein that you	18 customers were put on a pended or
¹⁹ aren't doing proper due diligence for new	19 suspended status?
²⁰ customers, correct?	MR. McDONALD: Object to the
MR. McDONALD: Object to the	21 form.
form.	²² BY MR. MIGLIORI:
THE WITNESS: Like I said,	Q. Where is that?
we were working on completing all	MR. McDONALD: Object to the
	, and the second
	Daga 227
Page 235	Page 237
these files for all these tens of	¹ form.
these files for all these tens of thousands of customers, and we	 form. It's not his job to produce
these files for all these tens of thousands of customers, and we were doing it in a very organized	 form. It's not his job to produce documents to you.
these files for all these tens of thousands of customers, and we were doing it in a very organized fashion to make sure that we limit	 form. It's not his job to produce documents to you. BY MR. MIGLIORI:
these files for all these tens of thousands of customers, and we were doing it in a very organized fashion to make sure that we limit any risk, or minimize any risk,	 form. It's not his job to produce documents to you. BY MR. MIGLIORI: Q. Go ahead. Have you seen a
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	ignly Confidential - Subject to	_	
	Page 238		Page 240
1	that.	1	told Henry Schein that, correct?
2	Q. Okay. As of 2015, the gap	2	A. Yes.
3	was closed and those customers now had	3	Q. "For the most part, new
4	what was sufficient due diligence in	4	accounts are opened based upon a
5	their files based on DEA expectations or	5	verification of the customer's DEA
6	compliance, correct?	6	number, which is not considered adequate
7	A. They did have due diligence	7	by the DEA."
8	files based on DEA our interpretation	8	Cegedim in December of 2009
9	of DEA expectations, because DEA never	9	told Henry Schein that, correct?
10	provided any instruction on what was the	10	A. They did write in the memo,
11	due diligence file to have.	11	yes.
12	Q. Cegedim did. In 2009,	12	Q. "Correspondence regarding
13		13	the prospective customer's previous
14	-		history of using controlled substances,
15	needed in every file, correct?	15	office practice rules, general practice
16	MR. McDONALD: Object to the	16	expectations should be completed prior to
17	form.	17	
18	BY MR. MIGLIORI:	18	Cegedim in December of 2009
19	Q. Not DEA, Cegedim, correct?	19	told Henry Schein that, correct?
20	MR. McDONALD: Object to the	20	A. Correct.
21	form.	21	Q. "A compliance agreement form
22	THE WITNESS: We did	22	should be developed and included in the
23	communicate	23	-
24	BY MR. MIGLIORI:	24	Cegedim told Henry Schein
	Page 239		Page 241
1	Q. Just answer my question, and	1	they should do that, correct?
2	Q. Just answer my question, and I'll give you all the opportunity to	2	they should do that, correct? A. Correct.
2 3	Q. Just answer my question, and I'll give you all the opportunity to elaborate.	3	they should do that, correct? A. Correct. Q. "The use of MedPro inquiries
2 3 4	Q. Just answer my question, and I'll give you all the opportunity to elaborate. My question to you is, in	3	they should do that, correct? A. Correct. Q. "The use of MedPro inquiries should be expanded for all controlled
2 3 4	Q. Just answer my question, and I'll give you all the opportunity to elaborate. My question to you is, in 2009, Cegedim told you what you needed to	3	they should do that, correct? A. Correct. Q. "The use of MedPro inquiries should be expanded for all controlled substance accounts and not for the
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2 3 4 5 6	Q. Just answer my question, and I'll give you all the opportunity to elaborate. My question to you is, in 2009, Cegedim told you what you needed to do to be compliant with DEA, and that was more than just verifying DEA registration, correct?	2 3 4 5 6	they should do that, correct? A. Correct. Q. "The use of MedPro inquiries should be expanded for all controlled substance accounts and not for the limited number of states that require the check." Cegedim was telling Henry
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	ighly Confidential "- Subject" to	Т	D 244
	Page 242		Page 244
	information from Cegedim, correct?		enhancement in process. It's about
2	A. Yes.		halfway through.
3	Q. And you implemented it and	3	This is the in-process
4	you got around to finishing it in 2015,	1	system with respect to customer
5	correct?	5	questionnaire for every customer ordering
6	A. Correct.	6	controlled substances.
7	Q. But by August and November	7	Do you see that?
8	of 2013, you were only 40 percent, not	8	A. Yes.
9	even quite 40 percent of the way there,	9	Q. So part of this new account
10	correct?	10	setup was to, in fact this is now two
11	A. Correct.	11	years rater implement what eegeann has
12	Q. Now I've made a mess.	12	been saying, that you should be getting
13	(Document marked for	13	due diligence of every new customer for
14	identification as Exhibit	14	the file, correct?
15	Henry Schein-Tejeda-16.)	15	MR. McDONALD: Object to the
16	BY MR. MIGLIORI:	16	form.
17	Q. This is Exhibit 16.	17	THE WITNESS: Are you saying
18	Exhibit 16 is an e-mail from Craig	18	that we are implementing it at
19	Schiavo. You said that he worked for	19	this point?
20	you, correct?	20	BY MR. MIGLIORI:
21	A. Yes, he did.	21	Q. I'm not saying anything.
22	Q. And it's to you and to	22	I'm reading the document. I don't I
23	Michael DiBello. Michael DiBello	23	don't I don't know.
24	preceded Jeff Peacock, correct?	24	It says, "New account setup,
	Page 243		Page 245
1	_	1	_
1 2	A. That is correct.		customer questionnaire for every customer
	A. That is correct.Q. He was your boss at this	2	customer questionnaire for every customer ordering controlled substances.
2	A. That is correct. Q. He was your boss at this time?	3	customer questionnaire for every customer ordering controlled substances. Information such as license and
2 3	A. That is correct.Q. He was your boss at this time?A. That's correct.	3	customer questionnaire for every customer ordering controlled substances. Information such as license and registrations, phone number, address,
2 3 4 5	 A. That is correct. Q. He was your boss at this time? A. That's correct. Q. And Craig sent to you by 	3	customer questionnaire for every customer ordering controlled substances. Information such as license and registrations, phone number, address, practice type, what controlled
2 3 4 5	A. That is correct. Q. He was your boss at this time? A. That's correct. Q. And Craig sent to you by e-mail this PowerPoint presentation.	2 3 4 5	customer questionnaire for every customer ordering controlled substances. Information such as license and registrations, phone number, address, practice type, what controlled substances."
2 3 4 5	A. That is correct. Q. He was your boss at this time? A. That's correct. Q. And Craig sent to you by e-mail this PowerPoint presentation. It's called "Draft SOM System." And this	2 3 4 5 6	customer questionnaire for every customer ordering controlled substances. Information such as license and registrations, phone number, address, practice type, what controlled substances." That's part of the new
2 3 4 5 6 7	A. That is correct. Q. He was your boss at this time? A. That's correct. Q. And Craig sent to you by e-mail this PowerPoint presentation. It's called "Draft SOM System." And this is again dated March 5th of 2011.	2 3 4 5 6 7	customer questionnaire for every customer ordering controlled substances. Information such as license and registrations, phone number, address, practice type, what controlled substances." That's part of the new account setup as of as drafted in this
2 3 4 5 6 7 8	A. That is correct. Q. He was your boss at this time? A. That's correct. Q. And Craig sent to you by e-mail this PowerPoint presentation. It's called "Draft SOM System." And this is again dated March 5th of 2011. Do you see that?	2 3 4 5 6 7 8	customer questionnaire for every customer ordering controlled substances. Information such as license and registrations, phone number, address, practice type, what controlled substances." That's part of the new account setup as of as drafted in this proposal in March of 2011.
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	Ignly Confidential - Subject to Page 246		Page 248
1	-	1	correct?
2	Operating Procedures/Policies."	2	
3	One more page. It's on the	3	MR. McDONALD: Object to the form.
	screen if you want to see what it looks	4	
5	like.	5	THE WITNESS: Which could
	"This new account setup, (to		MR. McDONALD: Go ahead.
7	be implemented in 2011)."	6	THE WITNESS: Which is a
	A. Mm-hmm.	7	modification of this process. But
8	Q. You agree with me that's	8	that doesn't mean that
9	more than two years after Cegedim	9	questionnaires didn't exist prior
10	recommended it in Exhibit Number 15,	10	to that.
11	correct?		BY MR. MIGLIORI:
12	MR. McDONALD: Object to the	12	Q. Okay. Two years after this
13	form.	13	document, 60 percent of your files have
14	THE WITNESS: It is stating	14	no due differee, correct.
15	what, I'm sorry?	15	MR. McDONALD: Object to the
	BY MR. MIGLIORI:	16	form.
17	Q. This new account setup with	17	THE WITNESS: What was the
18	the getting out the new questionnaires	18	date?
19	for due diligence, that was recommended	19	BY MR. MIGLIORI:
20	in 2009 by Cegedim.	20	Q. 2011, March of 2011.
21	In March of 2011, your	21	A. I just said that that
22	presentation shows that that's something	22	presentation was 2013, so
23	that was going to be implemented in 2011,	23	Q. You already you had an
24	correct?	24	August 2013 e-mail saying that 27,000
	Page 247		Page 249
1	Page 247 A. Sending each customer our	1	Page 249 files didn't have due diligence, correct,
1 2	_	1	_
	A. Sending each customer our	1	files didn't have due diligence, correct,
2	A. Sending each customer our due diligence questionnaire.	2	files didn't have due diligence, correct, two years later?
2 3 4	A. Sending each customer ourdue diligence questionnaire.Q. Right.A. I'm making a difference	3	files didn't have due diligence, correct, two years later? A. Correct.
2 3 4 5	A. Sending each customer our due diligence questionnaire. Q. Right.	3	files didn't have due diligence, correct, two years later? A. Correct. Q. Now, I'll try to
2 3 4 5	 A. Sending each customer our due diligence questionnaire. Q. Right. A. I'm making a difference here. Because I don't know if your 	2 3 4 5	files didn't have due diligence, correct, two years later? A. Correct. Q. Now, I'll try to MR. McDONALD: Are you done
2 3 4 5 6	A. Sending each customer our due diligence questionnaire. Q. Right. A. I'm making a difference here. Because I don't know if your records show that we had a due diligence	2 3 4 5 6	files didn't have due diligence, correct, two years later? A. Correct. Q. Now, I'll try to MR. McDONALD: Are you done with this?
2 3 4 5 6 7	A. Sending each customer our due diligence questionnaire. Q. Right. A. I'm making a difference here. Because I don't know if your records show that we had a due diligence questionnaire prior to that.	2 3 4 5 6 7	files didn't have due diligence, correct, two years later? A. Correct. Q. Now, I'll try to MR. McDONALD: Are you done with this? MR. MIGLIORI: Yeah.
2 3 4 5 6 7 8	A. Sending each customer our due diligence questionnaire. Q. Right. A. I'm making a difference here. Because I don't know if your records show that we had a due diligence questionnaire prior to that. Q. Yeah.	2 3 4 5 6 7 8	files didn't have due diligence, correct, two years later? A. Correct. Q. Now, I'll try to MR. McDONALD: Are you done with this? MR. MIGLIORI: Yeah. BY MR. MIGLIORI:
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5	hly Confidential "- Subject" to Page 250		Page 252
1 thi	_	1	_
$\frac{1}{2}$ it.	is may be, so I can better understand	2	familiar with, is it? A. No.
3	(Document marked for	3	Q. Okay. And so I just want to
4	identification as Exhibit		•
5		5	again try to understand the columns. There's an order number. It
	Henry Schein-Tejeda-17.) Y MR. MIGLIORI:	6	
7			says type. What is a CM versus an SO for
		8	type? A. So it's it's a comment to
	nd again it says, "Due diligence	9	what we use. It would mean credit memo.
	cuments, Henry Schein" I'm sorry,	10	
11 ord	chein Summit County customers canceled	11	Q. Credit memo?A. Mm-hmm.
12		12	
	Like the previous	13	Q. What does that mean, like a
	readsheets, this is a report generated	14	chargeback?
_	on request, correct? That is, this	15	A. Like a credit to the
	n't maintained in the ordinary course	16	customer, if it was a retain.
17 OI	business like this, correct?	17	Q. Oh I see. Okay.
	A. Yes. And I just want to		The line, what did we say
1	arify. You are telling me that this is	19	that was?
20 a C	different report than the ones that	20	A. I'm sorry?
21	Q. Yeah.		Q. What is line, the third
22	A we already saw. Okay.	22	column?
	Q. Correct. This one says		A. Oh, line, that's one that I
	nceled orders on top. But it has	24	really can't tell you what
24 Oth	herwise the exact same title as the	24	Q. Okay.
	D 251		
	Page 251		Page 253
¹ pri	ior.	1	A what it was.
2	ior. A. Okay.	2	A what it was.Q. Item, is that a base code?
3	ior. A. Okay. Q. Do you see that?	2	A what it was. Q. Item, is that a base code? What what's the item number?
2	ior. A. Okay. Q. Do you see that? A. Yes, I see that.	2	A what it was. Q. Item, is that a base code? What what's the item number? A. The the S-K-U.
2 3 4 5	ior. A. Okay. Q. Do you see that? A. Yes, I see that. Q. So I assume, based on	2 3 4 5	A what it was. Q. Item, is that a base code? What what's the item number? A. The the S-K-U. Q. S-K-U?
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2 3 4 5 6 loo 7 ma	ior. A. Okay. Q. Do you see that? A. Yes, I see that. Q. So I assume, based on oking at this, that this isn't aintained at Henry Schein in this form,	2 3 4 5 6 7	A what it was. Q. Item, is that a base code? What what's the item number? A. The the S-K-U. Q. S-K-U? Description. And the shipping number and the billing number.
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2 3 4 5 6 loo 7 ma 8 co 9 10 11 ge 12 an 13 Th	ior. A. Okay. Q. Do you see that? A. Yes, I see that. Q. So I assume, based on oking at this, that this isn't aintained at Henry Schein in this form, errect? A. Correct. Q. Somebody said, I need you to the time these 15, 20 fields of information dimport them into a spreadsheet.	2 3 4 5 6 7 8 9 10 11	A what it was. Q. Item, is that a base code? What what's the item number? A. The the S-K-U. Q. S-K-U? Description. And the shipping number and the billing number. A. Right. Q. So it seems like the exact for the most part, the exact same columns as the transactional report, except it's got an additional column
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2 3 4 5 6 loo 7 ma 8 co 9 10 11 ge 12 an 13 Th 14 co 15	A. Okay. Q. Do you see that? A. Yes, I see that. Q. So I assume, based on oking at this, that this isn't aintained at Henry Schein in this form, rect? A. Correct. Q. Somebody said, I need you to the me these 15, 20 fields of information d import them into a spreadsheet. nat's how this would be generated, rect? A. Yes, sir.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A what it was. Q. Item, is that a base code? What what's the item number? A. The the S-K-U. Q. S-K-U? Description. And the shipping number and the billing number. A. Right. Q. So it seems like the exact for the most part, the exact same columns as the transactional report, except it's got an additional column called "Pend." Do you see that, on the very last column?
2 3 4 5 6 loo 7 ma 8 co 9 10 11 ge 12 an 13 Th 14 co 15	A. Okay. Q. Do you see that? A. Yes, I see that. Q. So I assume, based on oking at this, that this isn't aintained at Henry Schein in this form, errect? A. Correct. Q. Somebody said, I need you to the me these 15, 20 fields of information d import them into a spreadsheet. That's how this would be generated, errect? A. Yes, sir. Q. And do you know from which	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A what it was. Q. Item, is that a base code? What what's the item number? A. The the S-K-U. Q. S-K-U? Description. And the shipping number and the billing number. A. Right. Q. So it seems like the exact for the most part, the exact same columns as the transactional report, except it's got an additional column called "Pend." Do you see that, on the very last column? A. Yes.
2 3 4 5 6 loo 7 ma 8 co 9 10 11 ge 12 an 13 Th 14 co 15 16 17 da	A. Okay. Q. Do you see that? A. Yes, I see that. Q. So I assume, based on oking at this, that this isn't aintained at Henry Schein in this form, errect? A. Correct. Q. Somebody said, I need you to the me these 15, 20 fields of information d import them into a spreadsheet. The nat's how this would be generated, errect? A. Yes, sir. Q. And do you know from which tabase this would be generated?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A what it was. Q. Item, is that a base code? What what's the item number? A. The the S-K-U. Q. S-K-U? Description. And the shipping number and the billing number. A. Right. Q. So it seems like the exact for the most part, the exact same columns as the transactional report, except it's got an additional column called "Pend." Do you see that, on the very last column? A. Yes. Q. So is it fair to say that
2 3 4 5 6 loo 7 ma 8 co 9 10 11 ge 12 an 13 Th 14 co 15 16 17 da 18	A. Okay. Q. Do you see that? A. Yes, I see that. Q. So I assume, based on oking at this, that this isn't aintained at Henry Schein in this form, rect? A. Correct. Q. Somebody said, I need you to the me these 15, 20 fields of information dimport them into a spreadsheet. The show this would be generated, rect? A. Yes, sir. Q. And do you know from which tabase this would be generated? A. No, not exactly.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A what it was. Q. Item, is that a base code? What what's the item number? A. The the S-K-U. Q. S-K-U? Description. And the shipping number and the billing number. A. Right. Q. So it seems like the exact for the most part, the exact same columns as the transactional report, except it's got an additional column called "Pend." Do you see that, on the very last column? A. Yes. Q. So is it fair to say that somebody said run that report but add the
2 3 4 5 6 loo 7 ma 8 co 9 10 11 ge 12 an 13 Th 14 co 15 16 17 da 18 19 20 so	A. Okay. Q. Do you see that? A. Yes, I see that. Q. So I assume, based on oking at this, that this isn't aintained at Henry Schein in this form, rect? A. Correct. Q. Somebody said, I need you to the me these 15, 20 fields of information d import them into a spreadsheet. That's how this would be generated, rect? A. Yes, sir. Q. And do you know from which tabase this would be generated? A. No, not exactly. Q. Okay. The is there	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A what it was. Q. Item, is that a base code? What what's the item number? A. The the S-K-U. Q. S-K-U? Description. And the shipping number and the billing number. A. Right. Q. So it seems like the exact for the most part, the exact same columns as the transactional report, except it's got an additional column called "Pend." Do you see that, on the very last column? A. Yes. Q. So is it fair to say that somebody said run that report but add the column of pend, is that what you would
2 3 4 5 6 loo 7 ma 8 co 9 10 11 ge 12 an 13 Th 14 co 15 16 17 da 18 19 20 so 21 bu	A. Okay. Q. Do you see that? A. Yes, I see that. Q. So I assume, based on oking at this, that this isn't aintained at Henry Schein in this form, errect? A. Correct. Q. Somebody said, I need you to the me these 15, 20 fields of information dimport them into a spreadsheet. That's how this would be generated, errect? A. Yes, sir. Q. And do you know from which tabase this would be generated? A. No, not exactly. Q. Okay. The is there mething in the ordinary course of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A what it was. Q. Item, is that a base code? What what's the item number? A. The the S-K-U. Q. S-K-U? Description. And the shipping number and the billing number. A. Right. Q. So it seems like the exact for the most part, the exact same columns as the transactional report, except it's got an additional column called "Pend." Do you see that, on the very last column? A. Yes. Q. So is it fair to say that somebody said run that report but add the column of pend, is that what you would interpret imagine this report being
2 3 4 5 6 loo 7 ma 8 co 9 10 11 ge 12 an 13 Th 14 co 15 16 17 da 18 19 20 so 21 bu	A. Okay. Q. Do you see that? A. Yes, I see that. Q. So I assume, based on oking at this, that this isn't aintained at Henry Schein in this form, errect? A. Correct. Q. Somebody said, I need you to the me these 15, 20 fields of information dimport them into a spreadsheet. The show this would be generated, errect? A. Yes, sir. Q. And do you know from which tabase this would be generated? A. No, not exactly. Q. Okay. The is there mething in the ordinary course of spiness that you know as the canceled	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A what it was. Q. Item, is that a base code? What what's the item number? A. The the S-K-U. Q. S-K-U? Description. And the shipping number and the billing number. A. Right. Q. So it seems like the exact for the most part, the exact same columns as the transactional report, except it's got an additional column called "Pend." Do you see that, on the very last column? A. Yes. Q. So is it fair to say that somebody said run that report but add the column of pend, is that what you would interpret imagine this report being generated
2 3 4 5 6 loo 7 ma 8 co 9 10 11 ge 12 an 13 Th 14 co 15 16 17 da 18 19 20 so 21 bu 22 or	A. Okay. Q. Do you see that? A. Yes, I see that. Q. So I assume, based on oking at this, that this isn't aintained at Henry Schein in this form, rect? A. Correct. Q. Somebody said, I need you to the methese 15, 20 fields of information dimport them into a spreadsheet. That's how this would be generated, rect? A. Yes, sir. Q. And do you know from which tabase this would be generated? A. No, not exactly. Q. Okay. The is there mething in the ordinary course of asiness that you know as the canceled deers report?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A what it was. Q. Item, is that a base code? What what's the item number? A. The the S-K-U. Q. S-K-U? Description. And the shipping number and the billing number. A. Right. Q. So it seems like the exact for the most part, the exact same columns as the transactional report, except it's got an additional column called "Pend." Do you see that, on the very last column? A. Yes. Q. So is it fair to say that somebody said run that report but add the column of pend, is that what you would interpret imagine this report being generated MR. McDONALD: Objection.

	ighly Confidential - Subject to		
	Page 254		Page 256
1	of the databases and the record	1	MR. McDONALD: Dr. Heim.
2	retention?	2	BY MR. MIGLIORI:
3	MR. McDONALD: Object to the	3	Q. Dr. Heim, but all of them
4	form. If you know, tell him, but	4	were actually filled. And Shaun Abreu
5	don't guess.	5	testified to that earlier in the
6	BY MR. MIGLIORI:	6	litigation.
7	Q. We can go back to the other	7	So the P there, as I
8	charts too. I mean, I think the columns	8	understand it, is for pended, right? Is
9	are all exactly the same, except some	9	that how you understand it?
10	except there's an added column of "pend."	10	MR. McDONALD: If you know,
11	MR. McDONALD: There's	11	tell him.
12	MR. MIGLIORI: Hmm?	12	THE WITNESS: I don't know.
13	MR. McDONALD: P is on one	13	I will be assuming.
14	of them too.	14	BY MR. MIGLIORI:
15	MR. MIGLIORI: It is? I	15	Q. Okay. Well, the column is
16	appreciate that.	16	canca pena ana me omy retter in any or
17	BY MR. MIGLIORI:	17	the columns is P. So is it a reasonable
18	Q. So going back to the prior	18	assumption that those were pended orders?
19	chart, I think this one is seven.	19	A. Again, I will be assuming
20	A. Which one?	20	that that's what it is.
21	Q. Seven. The post 2009.	21	Q. Okay. Well, if we go back
22	MR. McDONALD: That's it.	22	to the exhibit that I just showed you,
23	BY MR. MIGLIORI:	23	Exhibit Number 17, these are so-called
24	Q. Is that right?	24	canceled orders. And some of them have a
	Page 255		Page 257
1	Page 255 When we were talking about	1	Page 257 P next to them, not many. But there are
	When we were talking about		P next to them, not many. But there are
	When we were talking about Dr. Shein Dr. Heim, three of his		P next to them, not many. But there are some.
2	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released.	3	P next to them, not many. But there are some. If you go to page that ends
2	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that?	3	P next to them, not many. But there are some. If you go to page that ends in 726.
2 3	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that? MR. McDONALD: Well, and let	2 3 4	P next to them, not many. But there are some. If you go to page that ends in 726. MR. McDONALD: They're all
2 3 4 5	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that? MR. McDONALD: Well, and let me state for the record, as we've	2 3 4 5	P next to them, not many. But there are some. If you go to page that ends in 726. MR. McDONALD: They're all 726, Don?
2 3 4 5 6	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that? MR. McDONALD: Well, and let me state for the record, as we've told you, the company is not	2 3 4 5 6	P next to them, not many. But there are some. If you go to page that ends in 726. MR. McDONALD: They're all 726, Don? MR. MIGLIORI: What?
2 3 4 5 6 7	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that? MR. McDONALD: Well, and let me state for the record, as we've	2 3 4 5 6 7	P next to them, not many. But there are some. If you go to page that ends in 726. MR. McDONALD: They're all 726, Don?
2 3 4 5 6 7 8	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that? MR. McDONALD: Well, and let me state for the record, as we've told you, the company is not verifying the reliability of this	2 3 4 5 6 7 8	P next to them, not many. But there are some. If you go to page that ends in 726. MR. McDONALD: They're all 726, Don? MR. MIGLIORI: What? MR. McDONALD: They're all 726.
2 3 4 5 6 7 8	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that? MR. McDONALD: Well, and let me state for the record, as we've told you, the company is not verifying the reliability of this information.	2 3 4 5 6 7 8	P next to them, not many. But there are some. If you go to page that ends in 726. MR. McDONALD: They're all 726, Don? MR. MIGLIORI: What? MR. McDONALD: They're all
2 3 4 5 6 7 8 9	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that? MR. McDONALD: Well, and let me state for the record, as we've told you, the company is not verifying the reliability of this information. MR. MIGLIORI: Yeah. We	2 3 4 5 6 7 8 9	P next to them, not many. But there are some. If you go to page that ends in 726. MR. McDONALD: They're all 726, Don? MR. MIGLIORI: What? MR. McDONALD: They're all 726. MR. MIGLIORI: Oh, are they?
2 3 4 5 6 7 8 9 10	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that? MR. McDONALD: Well, and let me state for the record, as we've told you, the company is not verifying the reliability of this information. MR. MIGLIORI: Yeah. We have other testimony from Shaun	2 3 4 5 6 7 8 9 10	P next to them, not many. But there are some. If you go to page that ends in 726. MR. McDONALD: They're all 726, Don? MR. MIGLIORI: What? MR. McDONALD: They're all 726. MR. MIGLIORI: Oh, are they? MR. McDONALD: It's an
2 3 4 5 6 7 8 9 10 11 12	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that? MR. McDONALD: Well, and let me state for the record, as we've told you, the company is not verifying the reliability of this information. MR. MIGLIORI: Yeah. We have other testimony from Shaun Abreu that they found pended	2 3 4 5 6 7 8 9 10 11	P next to them, not many. But there are some. If you go to page that ends in 726. MR. McDONALD: They're all 726, Don? MR. MIGLIORI: What? MR. McDONALD: They're all 726. MR. MIGLIORI: Oh, are they? MR. McDONALD: It's an electronic file.
2 3 4 5 6 7 8 9 10 11 12	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that? MR. McDONALD: Well, and let me state for the record, as we've told you, the company is not verifying the reliability of this information. MR. MIGLIORI: Yeah. We have other testimony from Shaun Abreu that they found pended orders.	2 3 4 5 6 7 8 9 10 11 12 13	P next to them, not many. But there are some. If you go to page that ends in 726. MR. McDONALD: They're all 726, Don? MR. MIGLIORI: What? MR. McDONALD: They're all 726. MR. MIGLIORI: Oh, are they? MR. McDONALD: It's an electronic file. BY MR. MIGLIORI:
2 3 4 5 6 7 8 9 10 11 12 13	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that? MR. McDONALD: Well, and let me state for the record, as we've told you, the company is not verifying the reliability of this information. MR. MIGLIORI: Yeah. We have other testimony from Shaun Abreu that they found pended orders. BY MR. MIGLIORI: Q. And it may be unreliable to	2 3 4 5 6 7 8 9 10 11 12 13 14	P next to them, not many. But there are some. If you go to page that ends in 726. MR. McDONALD: They're all 726, Don? MR. MIGLIORI: What? MR. McDONALD: They're all 726. MR. MIGLIORI: Oh, are they? MR. McDONALD: It's an electronic file. BY MR. MIGLIORI: Q. All right. If you go to one
2 3 4 5 6 7 8 9 10 11 12 13 14 15	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that? MR. McDONALD: Well, and let me state for the record, as we've told you, the company is not verifying the reliability of this information. MR. MIGLIORI: Yeah. We have other testimony from Shaun Abreu that they found pended orders. BY MR. MIGLIORI: Q. And it may be unreliable to	2 3 4 5 6 7 8 9 10 11 12 13 14	P next to them, not many. But there are some. If you go to page that ends in 726. MR. McDONALD: They're all 726, Don? MR. MIGLIORI: What? MR. McDONALD: They're all 726. MR. MIGLIORI: Oh, are they? MR. McDONALD: It's an electronic file. BY MR. MIGLIORI: Q. All right. If you go to one of the ones that's 726, towards the end,
2 3 4 5 6 7 8 9 10 11 12 13 14 15	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that? MR. McDONALD: Well, and let me state for the record, as we've told you, the company is not verifying the reliability of this information. MR. MIGLIORI: Yeah. We have other testimony from Shaun Abreu that they found pended orders. BY MR. MIGLIORI: Q. And it may be unreliable to your company, this information, but this	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	P next to them, not many. But there are some. If you go to page that ends in 726. MR. McDONALD: They're all 726, Don? MR. MIGLIORI: What? MR. McDONALD: They're all 726. MR. MIGLIORI: Oh, are they? MR. McDONALD: It's an electronic file. BY MR. MIGLIORI: Q. All right. If you go to one of the ones that's 726, towards the end, about four pages towards the end.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that? MR. McDONALD: Well, and let me state for the record, as we've told you, the company is not verifying the reliability of this information. MR. MIGLIORI: Yeah. We have other testimony from Shaun Abreu that they found pended orders. BY MR. MIGLIORI: Q. And it may be unreliable to your company, this information, but this is the only information I have of your	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	P next to them, not many. But there are some. If you go to page that ends in 726. MR. McDONALD: They're all 726, Don? MR. MIGLIORI: What? MR. McDONALD: They're all 726. MR. MIGLIORI: Oh, are they? MR. McDONALD: It's an electronic file. BY MR. MIGLIORI: Q. All right. If you go to one of the ones that's 726, towards the end, about four pages towards the end. A. Number 20.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	When we were talking about Dr. Shein Dr. Heim, three of his orders were pended but released. Do you see that? MR. McDONALD: Well, and let me state for the record, as we've told you, the company is not verifying the reliability of this information. MR. MIGLIORI: Yeah. We have other testimony from Shaun Abreu that they found pended orders. BY MR. MIGLIORI: Q. And it may be unreliable to your company, this information, but this is the only information I have of your company. So maybe you can help me	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	P next to them, not many. But there are some. If you go to page that ends in 726. MR. McDONALD: They're all 726, Don? MR. MIGLIORI: What? MR. McDONALD: They're all 726. MR. MIGLIORI: Oh, are they? MR. McDONALD: It's an electronic file. BY MR. MIGLIORI: Q. All right. If you go to one of the ones that's 726, towards the end, about four pages towards the end. A. Number 20. Q. No, actually Page 19.
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	<u> </u>	1 C	
	Page 258		Page 260
	there?	1	A. Line and AT.
2	A. Yes, sir.	2	Q. What was the other one? AT?
3	Q. So those would be pended	3	A. AT. Yeah.
- 1	orders for those particular doctors. And	4	Q. You have no idea what AT
	I think one is lorazepam. One is	5	stands for?
	testosterone.	6	A. No. I'm sorry.
7	Do you see that? Is	7	Q. AT did exist in the
8	A. Testosterone. Lorazepam.	8	transactional reports, Exhibit 7.
9	Yes.	9	And UOM, did I ask you what
10	Q. Are these all controlled	10	that stands for:
11	substance?	11	A. Yeah. That one I understand
12	A. Yes, they're all controlled	12	to be unit of measure.
13	substances.	13	Q. Okay. Unit of measure. Oh,
14	Q. They are not Schedule II	14	that's right.
	substances, right? Lorazepam and	15	So with this list of
16	testosterone?	1	canceled orders, you have you have no
17	A. Lorazepam is Schedule IV.		way of telling me, as you sit here today,
18	Testosterone is a Schedule III.	18	why any one of these orders may have been
19	Q. Okay. Is there any way in	19	canceled, correct?
20	looking at this spreadsheet you would	20	A. Not no, I couldn't tell
21	agree with me, again, that this isn't	21	you.
22	a these aren't due diligence	22	Q. And based on your review of
23	documents, that that's just a	23	this, this isn't limited to opioids or
24	mislabeling, correct?	24	Schedule II drugs. This is all
	Page 259		Page 261
1	Page 259 A This is just a report	1	Page 261 controlled substances of all schedules
1 2	A. This is just a report.		controlled substances of all schedules,
	A. This is just a report. MR. McDONALD: Objection to	2	controlled substances of all schedules, correct? Maybe not Schedule I. But this
2 3	A. This is just a report. MR. McDONALD: Objection to form.	3	controlled substances of all schedules, correct? Maybe not Schedule I. But this isn't limited to Schedule II drugs,
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2 3 4 5	A. This is just a report. MR. McDONALD: Objection to form. BY MR. MIGLIORI: Q. Just a report. And it's not a typical	2 3 4 5	controlled substances of all schedules, correct? Maybe not Schedule I. But this isn't limited to Schedule II drugs, correct? A. Schedule II to V. Q. Okay. Clear as mud.
2 3 4 5 6 7	A. This is just a report. MR. McDONALD: Objection to form. BY MR. MIGLIORI: Q. Just a report. And it's not a typical business report that you would get	2 3 4 5 6	controlled substances of all schedules, correct? Maybe not Schedule I. But this isn't limited to Schedule II drugs, correct? A. Schedule II to V. Q. Okay. Clear as mud. MR. McDONALD: I'll let that
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. This is just a report. MR. McDONALD: Objection to form. BY MR. MIGLIORI: Q. Just a report. And it's not a typical business report that you would get regularly in the course of business, right, this is something called canceled orders that isn't a part of your standard operating procedures, correct? A. This report is not part of our okay. Q. Is there anything in looking at this report of canceled orders that denotes to you that the order was canceled at the customer's request versus by some process of due diligence? A. Not on this report, not to me. But again, there are a couple of columns that I don't really know what the information is about.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	controlled substances of all schedules, correct? Maybe not Schedule I. But this isn't limited to Schedule II drugs, correct? A. Schedule II to V. Q. Okay. Clear as mud. MR. McDONALD: I'll let that go. We've been going about an hour and 20 when you get to a point. MR. MIGLIORI: I think this could very reasonably be the end. Let me this stack. So why don't we take a break and I'll make sure. THE VIDEOGRAPHER: Going off the record at 2:06 p.m. (Short break.) THE VIDEOGRAPHER: Back on the record at 2:22 p.m. BY MR. MIGLIORI: Q. I want to show you

Page 262 Page 264 identification as Exhibit A. Yes. Henry Schein-Tejeda-18.) Q. Do you recall who from the ³ DEA that you've seen present to HDMA? ³ BY MR. MIGLIORI: A. So the -- the most recent Q. This is an e-mail which you ⁵ sent to your then-supervisor Michael one, his name is Keith Brown, I think ⁶ DiBello, regarding -- this is February of deputy administrator. ⁷ 2008. And it's regarding an HDMA Q. Okay. A. And he was actually very 8 meeting. ⁹ friendly to the industry. He just stated What is the HDMA, or what ¹⁰ that -- that they don't like the reports ¹⁰ was it then? 11 ¹¹ that they receive everyday with -- that A. Healthcare Distribution ¹² our computer system sends everyday. That ¹² Management Association, I believe it ¹³ stands for. 13 they much rather prefer for us to 14 Q. I notice in your curriculum ¹⁴ complete our due diligence and then send ¹⁵ vitae and some other places, that you 15 the report. ¹⁶ were -- you yourself were fairly involved And he also stated that the with the HDMA as a representative of final rule that we have been waiting for ¹⁸ Henry Schein; is that correct? years may actually be something that is 19 A. Yes, sir. material, is here. 20 20 Q. Do you recall how often you Q. Okay. A friend of industry, ²¹ attended HDMA meetings or conferences? is that what you called him? A. In person, maybe twice a A. He was --23 ²³ year. Conference calls, maybe another MR. McDONALD: Object to ²⁴ few times a year. form. Page 263 Page 265 Q. Okay. And does that go back ¹ BY MR. MIGLIORI: ² to 2006 or two thousand -- whenever you O. Go ahead. A. He said that -- that they --³ moved over to regulatory? When did you ⁴ first start getting involved with the ⁴ they understand that they have to do ⁵ HDMA? ⁵ better in customer service, whatever that 6 A. I think it might have been ⁶ means. around that time. O. Customer service as in the Q. Around 2006? distributors are the customer in that 9 A. Around 2006, yeah. context, right? 10 Q. Did you serve on any 10 A. The audience was 11 committees for the HDMA? manufacturers and distributors. 12 A. As a participant, yes. Q. Okay. Do you recall any 13 Q. Which committees? presentations by a guy named Kyle Wright ¹⁴ from headquarters in the distributor A. Regulatory affairs committee, which now my team actually ¹⁵ initiative? ¹⁶ participates in now, and I guess very --16 A. Not really. I mean I have ¹⁷ the more infrequent there is a policy -spoken with many people in DEA. ¹⁸ a public policy committee that we 18 Q. Do you recall ever meeting ¹⁹ participate probably once every so often. with the DEA on behalf of Henry Schein ²⁰ Not even every year. ²⁰ for what was called a distributor 21 Q. Do you remember any ²¹ initiative? ²² interactions with the HDMA where the DEA 22 A. Yes. 23 ²³ was presenting or giving best practice Q. Were you part of that ²⁴ meeting? ²⁴ presentations?

Page 266 Page 268 1 A. Yes, sir. happy that we actually meet about 2 2 Q. Do you recall when it was? these customers and we have taken 3 3 A. It was in 2009. care of any due diligence issues Q. And who -- was -- was that that we had with those accounts. the, to your knowledge, the first meeting BY MR. MIGLIORI: with DEA for the DEA initiative program? Q. Okay. So as you recall, the A. To my knowledge, that was DEA wanted to show you some information the only meeting. from your ARCOS data that raised issues Q. Okay. Who else was there or questions for them. And you were able 10 from Schein? to report back to them that you had 11 A. I believe it was Len David. actually addressed those issues already. 12 Mike DiBello, Craig Schiavo and myself. Is that what you generally 13 Q. And do you recall seeing a 13 recall? 14 presentation about internet pharmacies A. Yes. 15 and suspicious order monitoring? Q. All right. Do you recall 16 A. They did have material. I anything else from that distributor ¹⁷ don't really recall what it was about. I initiative meeting? do recall that they have prepared some A. I recall that the -- the material based on our ARCOS reporting. main person traveled from Washington. 20 Then it was the -- a couple of ranking Q. Okay. That was my next ²¹ question. So did they present to you officers from the local office. I recall ²² some of your own reporting data from that he said that that meeting was in ²³ ARCOS that they thought was exemplary or good faith, that they were talking ²⁴ illustrative of certain ordering trends? ²⁴ with -- with the industry players and Page 267 Page 269 A. Yeah, I think the way they ¹ they were trying to discuss issues on ² characterize it, they wanted to review ² distribution of controlled substances. ³ some customer orders with us. ³ And I -- I think that the conversation Q. And do you recall what those ⁴ was cordial. ⁵ orders showed, or they -- they believed We did -- also we did have a ⁶ they showed? ⁶ PowerPoint presentation that we shared 7 A. I think it was information ⁷ with them at that point as far as who ⁸ out of our ARCOS report. So it would ⁸ Henry Schein was and what our focus is. have identified the customer, their DEA You know, we service office-based registration and transaction information. practitioners, we don't service 11 Q. And isn't it true that the pharmacies. We -- we tend to be -- we purpose of showing you those particular are aimed to be a one-stop shop for ¹³ examples was to show you where they office-based practitioners. We service ¹⁴ believed that there was irregular from the pen that they use in their ¹⁵ ordering patterns for that particular office to the x-ray machine. And, you ¹⁶ surgeon that they thought were know, each comments about the controlled appropriate for follow-up? substances being a very teeny-tiny piece 18 MR. McDONALD: Object to the of our operation. 19 19 Well, I mean, and also kind form. 20 THE WITNESS: So, I of the relationship that we had with our 21 apologize. I don't really customers, the mission that we had with 22 remember what did they say about our customers, things like that. 23 Q. And so that interaction this orders.

I do remember that they were

24

²⁴ was -- was broad-based about your role

Page 270 Page 272 ¹ though, as a distributor of controlled ¹ in verifications. You said, "As you ² know, this was a meeting facilitated by substances, correct? ³ the HDMA to discuss a proposal to the DEA A. Well --⁴ on best practices for distribution of Q. That is, you were there, ⁵ although you said it was a teeny piece of controlled drugs which will be accepted your business, you were there for the and observed industrywide. The goal is ⁷ controlled substances and the DEA ⁷ to come up with something that will ⁸ regulations governing controlled satisfy the DEA officials to get their substances, correct? buying into that industry is addressing 10 A. Yes, that is correct. ¹⁰ their concerns and no additional actions 11 Q. All right. against the wholesalers is necessary." 12 Exhibit Number 18 in front Do you remember trying to 13 of you makes reference to the DEA coming ¹³ facilitate or -- or effectuate a meeting ¹⁴ to the HDMA to talk about best practices ¹⁴ with the DEA through the HDMA to try to as it relates to distribution of get an understanding of how much you ¹⁶ controlled substances. needed to do to be compliant with DEA 17 regulations on controlled substances? Do you recall writing this ¹⁸ e-mail? 18 A. Yeah, I think our -- our 19 While you are reading it, goal in participating in all these ²⁰ for the record I'll just say what it is. meetings was to gain a further ²¹ It's an e-mail from you to Michael understanding on what best practices were ²² DiBello on Wednesday, February 6, 2008, and to see if we can get any ²³ regarding an HDMA meeting. interpretation on what the expectation Do you either recall writing ²⁴ was from the DEA. Page 271 Page 273 ¹ this e-mail or the meeting itself? Obviously the issue for us ² always was that our business model has A. I vaguely, very vaguely ³ recall the meeting. ³ been so different than other wholesale Q. Okay. Do you remember where ⁴ distributors. We -- we did service the this meeting was? ⁵ office-based practitioner. We don't A. All of our meetings in service pharmacies or other distributors. person with HDMA, they -- I think this O. These recommendations for 8 time, I think that it was -- it was in best practices to the DEA though, they ⁹ Washington DC. were actually being made by the HDMA in 10 Q. Okay. So you wrote to Mike, this meeting for industrywide ¹¹ and you showed him a response that you understanding of best practices, correct? ¹² wrote to Jim. Who -- who is Jim? A. That was the goal, to come A. So Jim Owens was the most up with industrywide best practices. ¹⁴ responsible person for the verifications Q. And one of the HDMA, that is 15 team at that point. the distributor's trade association, Q. Okay. Was he replaced by 16 recommendations, was to do an on-site 17 Shaun Abreu at some point? visit for all new accounts industrywide 18 A. No. Actually he has been for the due diligence requirements, replaced by Bill Brandt. correct, that was one of the HDMA's 19 Q. Okay. So -- so this would proposals? ²¹ be a position underneath Shaun Abreu's --21 A. That was in this e-mail? 22 above Shaun Abreu's position? MR. McDONALD: Take a 23 23 A. Yes. look --24 Okay. So you wrote to Jim ²⁴ BY MR. MIGLIORI:

Page 274 Q. If you look at Item ² Number 1, I'll read it and then we can ³ talk about it. Number 1, due diligence on ⁵ new accounts. "The proposal was that ⁶ companies will need to perform an on-site ⁷ review of every new account before they 8 could open -- be open for controlled ⁹ substances. Obviously, most of the 10 companies represented in the meeting have ¹¹ a different business model than Henry ¹² Schein. Most of them service pharmacies ¹³ and retailers or regionals which don't do 14 ¹⁴ much volume.

"We argued that with the ¹⁶ amount of new accounts that Henry Schein ¹⁷ opens daily, it will be virtually 18 impossible to visit all of them and 19 proposed to have different levels of ²⁰ review for different types of customers ²¹ with the office-based practitioners being ²² in the low risk end and, therefore, ²³ subject to lesser level of review." Do you recall making that

Page 276

¹ practice would be among other

² manufacturers and distributors, other DEA

³ registrants. And you are arguing to the

⁴ trade group that you're different than

most of those because of your type of

customer, correct?

A. Yeah. Part of the discussion was understanding, again, different business models, because the focus seemed to be on pharmacists most than anything else.

Q. Do you believe that your customers are low risk for diversion?

A. I believe that most practitioners, the vast majority of them, are trying to do the right thing, they are not somebody that is going to divert 18 drugs. 19

Q. My question is, based on the wording here, do you believe that you had a different or a lower standard that you ²² had to comply with in terms of your ²³ obligations to the DEA because your ²⁴ customers were doctors, veterinarians,

Page 275

Page 277

¹ argument to the DEA at this ² HDMA-sponsored meeting?

A. I don't think we were making ⁴ an argument to the DEA.

Q. I'm trying not to use my ⁶ words. Your words are, "We argued that ⁷ the amount of new accounts Henry 8 Schein" -- "accounts Henry Schein ⁹ Incorporated opens daily, it will be ¹⁰ virtually impossible to visit all of ¹¹ them."

A. Yeah. So that was an ¹³ internal association discussion.

Q. Well, this was a meeting, though, facilitated by the HDMA with the ¹⁶ DEA, correct?

17 MR. McDONALD: Object to the 18 form. Mischaracterizes the 19 document.

BY MR. MIGLIORI:

21 Q. If I'm wrong --22

A. I -- I don't think so.

Q. Okay. So internally you're discussing what a good industrywide ¹ and dentists?

A. I think the tough process ³ was that, because our customers were practitioners, the volume of what they

⁵ order is much lower than what a pharmacy

⁶ will order. And they will order all

⁷ different type of supplies as opposed to

⁸ just controlled substances. And you

⁹ know, as opposed for the distributors,

that they ship maybe even pallet size of

¹¹ shipments, our shipments are several, but one or two pieces of -- of the product.

Q. Between 2006 and 2014, Henry ¹⁴ Schein distributed more than 1.2 million

doses of opioids into the state of Ohio.

¹⁶ Do you believe that because your

customers were practitioners primarily,

that you had a lower or lesser obligation

to prevent diversion than other

distributors?

21 MR. McDONALD: Object to the 22 form.

23 THE WITNESS: No. We never 24 said that we had a lesser

Page 278	Page 200
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obligation.	1 (Document marked for
Our point was that our	² identification as Exhibit
business model was different and	³ Henry Schein-Tejeda-19.)
4 that we couldn't treat our	⁴ BY MR. MIGLIORI:
⁵ customers as pharmacists.	⁵ Q. Let me show you Exhibit 19.
⁶ BY MR. MIGLIORI:	⁶ Exhibit 19 is the HDMA industry
⁷ Q. And ultimately well, the	⁷ compliance guidelines, reporting
8 next recommendation for best practices at	⁸ suspicious orders and preventing
⁹ this meeting in 2008, in February of	⁹ diversion of controlled substances.
¹⁰ 2008, was holding of orders over the	Do you recall this guidance
¹¹ threshold. "The HDMA is proposing that	being reported out that same year that
when an order pends for review, it should	¹² you had this meeting in the prior
be held until the investigations of the	¹³ exhibit?
14 account is completed. This should not be	¹⁴ A. I'm sorry. I couldn't tell
account is completed. This should not be an issue most of the time, but in some	¹⁵ you the actual timing of this document.
	Q. I can tell you. It's
cases the investigation might take some time and may create issues with the	November 13th of 2008.
time and may create issues with the	
customer.	11. Okuy.
Dia you have a problem with	Q. Okay. Bo you had a meeting
the industry wanting to hold all pended	²⁰ in February of 2008 that you reported to
21 orders?	²¹ Jim and to Michael DiBello. And then
A. Not at all. That was our	²² later that year, this guidance came out.
²³ our common practice. I think I was	Do you recall participating
²⁴ highlighting that issue because Jim	²⁴ in either the preparation of or the
Page 279	Page 281
	_
¹ Mullins was also the head of customer	¹ ratification of this guidance, you
 Mullins was also the head of customer service. So he's always concerned with 	_
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Page 282 1 form. ¹ Schein actually does not have a pharmacy 2 Go ahead. ² between it and the practitioner, would ³ you say that Henry Schein has a BY MR. MIGLIORI: particularly unique opportunity to Q. Go ahead. ⁵ understand its customer because of the A. So again, the distribution direct relationship with the prescriber ⁶ industry is very complex and there is no ⁷ one way to look at all the participants that it has? 8 the same way that one formula will fit A. We do have a close ⁹ all. So it might have been parts of the relationship with our customers, yes. ¹⁰ document that we didn't find were Q. And you have a particularly ¹¹ unique positioning to perform the due ¹¹ relevant or we couldn't implement. Q. Okay. But in that sense, diligence because of your direct ¹³ it's a guidance. It's not a -relationship with those practitioners, 14 A. It's a guidance. correct? 15 15 Q. And so depending on your MR. McDONALD: Object to the 16 16 company, you adapted to what would be form. 17 best and appropriate for your company, THE WITNESS: Yes, and it correct? 18 has to do with also understanding 19 19 the level of due diligence based A. Yeah, I think that was. 20 20 on the review of each account. Q. So as far as Henry Schein ²¹ was concerned in 2008 when this was 21 BY MR. MIGLIORI: ²² issued, this was acceptable to Henry Q. Correct. And if you turn to 23 Schein as a guidance with all of those ²³ Page 4 of 15 in the guidance, there's a ²⁴ limitations that you've stated, correct? ²⁴ whole section here on knowing your Page 283 Page 285 1 A. I think so. ¹ customer and due diligence. And it goes ² through the different types of data that O. Yes? A. Yes. ³ should be collected. Q. One of the statements here Do you recall being part of 5 on the front page is, "At the center of the process of coming up with these ⁶ the sophisticated supply chain, guidances on knowing your customer? ⁷ distributors are uniquely situated to A. I remember the conversation ⁸ perform the due diligence in order to in general, I mean. ⁹ help support the security of the Q. It talks about doing the ¹⁰ controlled substances they deliver to background questionnaires and asking for 11 their customers." certain types of information for new clients, right? Did you agree with that ¹³ statement, that the distributors are 13 A. Right. ¹⁴ uniquely situated to perform due Q. And it -- it talks about, on diligence to support the security of the next page, the types of prescribing expectations and the -- particularly, controlled substances? 17 A. I don't remember discussing "Identification of physicians in other 18 that statement. treatment centers that are potential customers' most frequent prescribers or 19 Q. As you sit here today, does ²⁰ that statement sound like a reasonable highest purchasing doctors." 21 statement that you would agree to? 21 Do you recall that being a 22 A. We are in a situation to guidance that you all thought perform due diligence, yes. appropriate? 24 Q. Okay. And because Henry 24 A. I'm sorry. Could you point

Page 286 ¹ to me where --¹ or Summit County, understanding who the O. Sure. The very last bullet ² highest prescribers are would be a ³ point on Page 2. "Identification of ³ reasonable thing to do in terms of ⁴ physicians and other treatment centers ⁴ knowing your customer and satisfying your ⁵ that are the potential customers' most due diligence obligations, correct? ⁶ frequent prescribers or highest MR. McDONALD: Object to the 7 ⁷ purchasing doctors." form. 8 8 Did you think that was a THE WITNESS: So our reasonable guidance in the onboarding of 9 suspicious order monitoring system 10 new customers and the ongoing "know your 10 is based on two different sides. 11 customer" obligations, to keep track of 11 So the way we look at our 12 the most frequent and highest purchasing customers is based on the market, doctors are? 13 meaning medical, dental, or vet, 14 14 and then their specialty. A. Again --15 15 Then at some point it was MR. McDONALD: Object to the 16 16 the practice type, then it changed form. 17 17 to the practice size. Go ahead. 18 THE WITNESS: This is one of 18 So we don't specifically 19 19 look at Ohio customer or Alaska the things that probably didn't 20 fit in our world, because we -- we 20 customer. We look at medical 21 21 don't sell to pharmacies. So the doctors within this specialty 22 22 companies that were selling to within this practice type within 23 23 pharmacies, they were looking at this practice size, and we group 24 24 prescriber information. We were them. Page 287 Page 289 really looking more at 1 The other piece, another 1 2 2 part of the SOM is to look at the administration during the course 3 of practice. 3 account purchasing behavior ⁴ BY MR. MIGLIORI: 4 itself. Q. So as a company that sells BY MR. MIGLIORI: ⁶ directly to the physicians and the Q. So in Henry Schein's ⁷ veterinarians and the dentists, you suspicious order monitoring system, it ⁸ didn't have as a component part of your never factored in the demographics of the ⁹ due diligence and know your customer a community where the pills were going? ¹⁰ sensitivity to who the highest purchasing 10 A. We did, and we have done ¹¹ doctors were, or most frequent purchasing ¹¹ that more on a ad hoc basis that when we ¹² doctors were? are notified or we learn that there is 13 A. Purchasing doctors from specific trend of something being used in ¹⁴ Henry Schein, we did, yes. a specific part of the country, then, ves, we do add to our system either a 15 Q. And that's what it says ¹⁶ here, highest purchasing doctors. combination of drugs or geographic That's a reasonable thing to location that may be an issue with a ¹⁸ have in the guidance, right, a specific drug. 19 19 sensitivity in your "know your customer" Q. And in fact, after Dendrite ²⁰ obligations to the highest purchasing initially consulted with you, it was ²¹ doctors? pointed out that it was necessary for 22 A. Yes, highest purchasing Schein to develop a system to monitor ²³ doctors, absolutely. Yes, we did. ²³ frequency and pattern in order to comply 24 Q. So in a community like Ohio ²⁴ with DEA expectations, correct?

	ighty confidencial - Subject to		
	Page 290		Page 292
1	MR. McDONALD: Object to the	1	A. No. Not necessarily. They
2	form.	2	are so telesales would be different
3	THE WITNESS: So we enhanced	3	from field sales and will be different
4	our computer system to include	4	from customer service and will be
5	those elements. Previous to that	5	different from customer support.
6	enhancement we relied on our DSMs	6	Q. Okay. And so prior to 2009,
7	that have close contact with the	7	the suspicious order monitoring system at
8	customers and they get to learn	8	Henry Schein relied on the customer
9	to know them to, you know,	9	service and sales force to identify and
10	identify or try to identify any	10	bring attention to deviations in
11	potential issues with any orders.	11	frequency and pattern, and afterwards
12	BY MR. MIGLIORI:	12	when the suspicious order monitoring
13	Q. Did that transition happen	13	system picked up frequency and pattern,
14	around 2009 with the implementation of		those sales force and customer service
15	the enhanced SOM system?	15	representatives continued to service or
16	A. The enhanced SOM system was	1	continued to monitor?
17	implemented in 2009. Our sales	17	A. They always have.
18	personnel, our customer service	18	Q. All right. So prior to
19	personnel, our telesales personnel, they	19	2009, deviations in frequency of
20	always they keep being, like, an		pattern strike that.
21	additional resource to identify any	21	Prior to 2009, deviations
	potential issues.	22	for frequency and pattern were primarily
23	Q. But when Henry Schein was	1	detected through the sales force and
24	only monitoring for size of orders, and		customer service representatives,
	•		1
	D 201		D 202
	Page 291	1	Page 293
	not yet frequency or pattern before 2009,		correct?
2	not yet frequency or pattern before 2009, Henry Schein was relying on the sales	2	correct? A. Yes, sir.
3	not yet frequency or pattern before 2009, Henry Schein was relying on the sales representatives to identify issues of	3	A. Yes, sir. Q. After 2009 and after Buzzeo
3 4	not yet frequency or pattern before 2009, Henry Schein was relying on the sales representatives to identify issues of deviation in frequency and pattern. Is	2 3 4	A. Yes, sir. Q. After 2009 and after Buzzeo made recommendations to changing the
2 3 4 5	not yet frequency or pattern before 2009, Henry Schein was relying on the sales representatives to identify issues of deviation in frequency and pattern. Is that a fair statement?	2 3 4 5	A. Yes, sir. Q. After 2009 and after Buzzeo made recommendations to changing the actual suspicious order monitoring
2 3 4 5 6	not yet frequency or pattern before 2009, Henry Schein was relying on the sales representatives to identify issues of deviation in frequency and pattern. Is that a fair statement? MR. McDONALD: Hold on.	2 3 4 5 6	A. Yes, sir. Q. After 2009 and after Buzzeo made recommendations to changing the actual suspicious order monitoring system, there was a computer or an
2 3 4 5 6 7	not yet frequency or pattern before 2009, Henry Schein was relying on the sales representatives to identify issues of deviation in frequency and pattern. Is that a fair statement? MR. McDONALD: Hold on. Object to the form. Go ahead.	2 3 4 5 6 7	A. Yes, sir. Q. After 2009 and after Buzzeo made recommendations to changing the actual suspicious order monitoring system, there was a computer or an automated algorithm for picking up
2 3 4 5 6 7 8	not yet frequency or pattern before 2009, Henry Schein was relying on the sales representatives to identify issues of deviation in frequency and pattern. Is that a fair statement? MR. McDONALD: Hold on. Object to the form. Go ahead. THE WITNESS: Not only on	2 3 4 5 6 7 8	A. Yes, sir. Q. After 2009 and after Buzzeo made recommendations to changing the actual suspicious order monitoring system, there was a computer or an automated algorithm for picking up variations in variations or deviations
2 3 4 5 6 7 8	not yet frequency or pattern before 2009, Henry Schein was relying on the sales representatives to identify issues of deviation in frequency and pattern. Is that a fair statement? MR. McDONALD: Hold on. Object to the form. Go ahead. THE WITNESS: Not only on the sales personnel, on the	2 3 4 5 6 7 8	A. Yes, sir. Q. After 2009 and after Buzzeo made recommendations to changing the actual suspicious order monitoring system, there was a computer or an automated algorithm for picking up variations in variations or deviations in frequency and pattern, correct?
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2 3 4 5 6 7 8 9 10 11 12	not yet frequency or pattern before 2009, Henry Schein was relying on the sales representatives to identify issues of deviation in frequency and pattern. Is that a fair statement? MR. McDONALD: Hold on. Object to the form. Go ahead. THE WITNESS: Not only on the sales personnel, on the personnel that will have contact with the customers. BY MR. MIGLIORI:	2 3 4 5 6 7 8 9 10 11	A. Yes, sir. Q. After 2009 and after Buzzeo made recommendations to changing the actual suspicious order monitoring system, there was a computer or an automated algorithm for picking up variations in variations or deviations in frequency and pattern, correct? A. Yes. MR. McDONALD: Object to the form.
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	Page 294		Page 296
1	A. Okay. (Reading to himself	1	an outbound call or conducted a
2	quietly.)	2	due diligence site visit to an
3	Yeah, as far as the data	3	account, yes, absolutely.
4	from our customers, yes.	4	When the customer provided
5	Q. Other people have talked	5	information from us, the customer
6	about this document, so I won't go	6	will provide us that information.
7	through all of it. I just want to ask	7	BY MR. MIGLIORI:
8	you about Page 11, a section called	8	Q. Okay. So if an order is
9	"Documentation."	9	pended and it required interaction with
10	I want to ask you if you	10	the customer, you would agree that
11		11	these this type of information, who
12	2008 best practices for distributors.	12	
	Under documentation, it says, "All	13	were discussed, those are all issues that
	investigations should be fully		would be appropriate to document in the
	documented, and all records of		file?
	investigation should be retained in an	16	A. Yes.
17		17	Q. And preferably in a place
18	such as with other records relating to	18	
	the particular customer."	19	customer would be, correct?
20	As of 2008, did you	20	A. Correct.
21	•	21	Q. "The document should include
22	distributors of controlled substances?	22	
23	A. Let me ask a clarification	23	of the investigation, including why the
24	question right here.	24	order investigated was or was not
	Page 295	1	Daga 207
	_		Page 297
1	So the way I am reading this		determined to be suspicious."
2	So the way I am reading this is all investigations conducted by the	2	determined to be suspicious." Did Henry Schein maintain a
2 3	So the way I am reading this is all investigations conducted by the company should be fully documented. If	3	determined to be suspicious." Did Henry Schein maintain a decision tree of questionable orders that
2 3 4	So the way I am reading this is all investigations conducted by the company should be fully documented. If that's the question, yes.	3 4	determined to be suspicious." Did Henry Schein maintain a decision tree of questionable orders that were are ultimately deemed or not
2 3 4 5	So the way I am reading this is all investigations conducted by the company should be fully documented. If that's the question, yes. Q. Okay. It says again, the	2 3 4 5	determined to be suspicious." Did Henry Schein maintain a decision tree of questionable orders that were are ultimately deemed or not deemed to be suspicious?
2 3 4 5 6	So the way I am reading this is all investigations conducted by the company should be fully documented. If that's the question, yes. Q. Okay. It says again, the HDMA guidance says, "At a minimum,	2 3 4 5 6	determined to be suspicious." Did Henry Schein maintain a decision tree of questionable orders that were are ultimately deemed or not deemed to be suspicious? MR. McDONALD: Object to the
2 3 4 5	So the way I am reading this is all investigations conducted by the company should be fully documented. If that's the question, yes. Q. Okay. It says again, the HDMA guidance says, "At a minimum, documentation should include the names,	2 3 4 5 6 7	determined to be suspicious." Did Henry Schein maintain a decision tree of questionable orders that were are ultimately deemed or not deemed to be suspicious? MR. McDONALD: Object to the form.
2 3 4 5 6	So the way I am reading this is all investigations conducted by the company should be fully documented. If that's the question, yes. Q. Okay. It says again, the HDMA guidance says, "At a minimum, documentation should include the names, titles and other relevant identification	2 3 4 5 6 7 8	determined to be suspicious." Did Henry Schein maintain a decision tree of questionable orders that were are ultimately deemed or not deemed to be suspicious? MR. McDONALD: Object to the form. THE WITNESS: So Henry
2 3 4 5 6 7 8	So the way I am reading this is all investigations conducted by the company should be fully documented. If that's the question, yes. Q. Okay. It says again, the HDMA guidance says, "At a minimum, documentation should include the names, titles and other relevant identification of the representative of the customer	2 3 4 5 6 7 8	determined to be suspicious." Did Henry Schein maintain a decision tree of questionable orders that were are ultimately deemed or not deemed to be suspicious? MR. McDONALD: Object to the form. THE WITNESS: So Henry Schein have SOPs as guidance
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	D 200	_	D 200
	Page 298		Page 300
	Q. So every pended order that		Schein's standard operating procedures
	had a decision, it was a standard	1	for for investigation of suspicious
3	operating procedure as of 2008 for every	3	F,
4	cleared or canceled pended order, that	4	MR. McDONALD: Object to the
5	there would be a statement in the due	5	form.
6	diligence file about who was contacted,	6	THE WITNESS: I mean as far
7	what was discussed, and what the a	7	as process, yes.
8	clear statement of the final conclusion	8	BY MR. MIGLIORI:
1,0	of the investigation, that should be in	9	Q. I've got two more documents
10	every pended order investigation based on	10	and then we'll be done.
11	are summer operating procedures or	11	(Document marked for
	Henry Schein from 2008 to present?	12	identification as Exhibit
13	A. That should be in the	13	Henry Schein-Tejeda-20.)
14	account file if we conducted due	14	DI Witt. Wildelight.
15	diligence on that account.	15	Q. Did Ken Romeo work for you?
16	Q. Failure for that to be in an	16	A. Yes.
17	account would be a violation of the	17	Q. Do you recall Ken Romeo in
18	standard operating procedures at Henry	18	2013 writing to you about the Melville
19	Schein from 2008 to present, correct?	19	audit by a company called PCG?
20	MR. McDONALD: Object to the	20	A. I'm trying to remember who
21	form.	21	1 CO was.
22	THE WITNESS: If somebody	22	Q. You don't recall the the
23	was conducting due diligence and		Melville audit?
24	didn't document it correctly,	24	A. Well, it's been so long,
	Page 299		Page 301
1	yeah, it was either a mistake	1	
1 2	yeah, it was either a mistake or	1 2	_
	•		I a lot of things have happened, so
2	or	2	I a lot of things have happened, so Q. Sure.
2 3 4	or BY MR. MIGLIORI:	3 4	I a lot of things have happened, soQ. Sure.A. I cannot tell you I can.
2 3 4	or BY MR. MIGLIORI: Q. It violated the companies	3 4	 I a lot of things have happened, so Q. Sure. A. I cannot tell you I can. Q. Do you remember Ken Romeo
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2 3 4 5 6	or BY MR. MIGLIORI: Q. It violated the companies standard operating procedures, correct? A. Right.	2 3 4 5 6	 I a lot of things have happened, so Q. Sure. A. I cannot tell you I can. Q. Do you remember Ken Romeo referring to you as "Padrino"? A. Yes.
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Page 302 Page 304 ¹ verifications department from the time he that you're referring, I'm sorry, ² was hired even to date, correct? I don't remember. A. Yes, sir. ³ BY MR. MIGLIORI: O. And it was sometimes Q. I've got plenty of other people that talk about it. But did you ⁵ observed that his knowledge of medicine consider Ken Romeo to be a good employee? ⁶ was useful and indicated to make some ⁷ judgment calls about whether to deem a MR. McDONALD: Object to the pended order suspicious, correct? 8 form. A. Yeah, we thought it was a 9 THE WITNESS: I did consider 10 good idea to get somebody with that 10 Ken Romeo to have very good ¹¹ background to help us grow our system, background knowledge and to bring 11 12 12 to -- to help us build up our process, a lot to the table. He did have a ¹³ bring a different perspective to how we 13 little bit of personality issues. ¹⁴ look at the accounts and our reviews. BY MR. MIGLIORI: Q. And the Cegedim consultants O. And Tina Steffanie-Oak ¹⁶ actually said that one of the concerns addressed those directly with you, in some of her e-mails, correct? ¹⁷ about verifications doing so many of the 18 clearing of shipments for pended orders, 18 A. I believe so. Yes. ¹⁹ was the lack of medical training, do you 19 Q. But from a DEA compliance ²⁰ recall that? standpoint, he was a good employee? 21 21 A. From the process and how to A. Not exactly. Q. You don't remember any -do reviews, he was a good employee. Also ²³ I'm hoping I don't have to pull this out. conducting training for departments like ²⁴ You don't remember any audits in 2013 of ²⁴ verifications, for other members of Page 303 Page 305 ¹ Cegedim saying that the verifications ¹ regulatory, to give that added ² team does not have any medical training, ² perspective. ³ and it would be beneficial to give them Q. And he -- but he worked ⁴ more medical training because of the ⁴ under you, he worked in your department, ⁵ amount of work that they do on reviewing in regulatory affairs, correct? A. He reported to Tina, who ⁶ pended orders? 7 reported to me. MR. McDONALD: Object to the 8 Q. Okay. Here, in November of form. BY MR. MIGLIORI: 2013, he talks to you about this audit from PCG. And he says, "It is my opinion 10 Q. You don't remember anything ¹¹ that the prior DEA SOM," or suspicious 11 like that? 12 order monitoring, "compliance audit MR. McDONALD: Object to conducted of our internal systems and 13 form. controls by PCG failed to produce audit 14 THE WITNESS: So I do remember that we always wanted results that were meaningful or useful to 15 ¹⁶ Schein by any definition of the words." to -- for somebody to do -- to 16 17 17 look at our system, to look at our Do you recall him expressing 18 processes as far as the -- do that concern? 19 audits on what we are doing to 19 A. Not really. I'm sorry. Q. He says, "I do not know the 20 20 make sure that we understood and 21 if there were -- if there were any history of the Buzzeo audit and know even 22 opportunities, we -- we work on less about how the initial thresholds 23 ²³ were calculated, but it had to have been that. 24 ²⁴ done by somebody with a medical As far as the specific one

Page 306 Page 308 ¹ background. The PCG audit potentially Q. Okay. So you can pick a ² state and, by ingredient, active ² failed to consider," and then he lists

ingredient, identify the top volume ³ several factors. First factor is, "Inherent purchasers? ⁵ audit risk, identifying controlled A. Yes. ⁶ substances and/or specific combination of Q. And how long have you been

⁷ controlled substances that place us in a doing that process? A. I believe we started that in ⁸ high risk category as a distributor. An ⁹ analysis of our top 50 accounts that is 2017.

10 not statistically based to allow for both 10 Q. Okay. Do you do that state ¹¹ confidence level and confidence interval by state now?

¹² outside of a single drug class or account A. We do that state by state. ¹³ is ludicrous. Our attorneys will not Q. And who analyzes it? Who is ¹⁴ have a counterargument to DEA." responsible for that analysis?

Did you agree with Ken A. It is a collaboration ¹⁶ Romeo's observation that there needed to between verifications and regulatory.

be that type of analysis of the top 50 Q. Number 3 it says, "Computer accounts? system errors, coding and regulatory

19 linkage to verifications. I get acid 19 A. I'm sorry. I'm not even ²⁰ understanding at that point. reflux when I observe this. Here is a

But I can tell you that we small technical issue. Pending site ²² did do an analysis based on priorities, ²² visits do not appear in the Henry Schein

²³ notes in verifications. Can someone ²³ and one of the priorities was the top ²⁴ purchasers. ²⁴ explain this disconnect?"

Page 307 Q. Okay. And by top Do you recall him expressing purchasers, you mean volumewise, correct?

A. And volumewise, yes.

Q. And when you measured that, ⁵ did you do that by dosage units? Did you ⁶ do it by MME? Do you recall how you --⁷ how you determined the top users, whether 8 it be top 50 or some other number?

A. So it was done based on active ingredient volume.

Q. Okay. Is that still how you 12 do it today?

13 A. Yes. We do conduct -- our ¹⁴ current program, although we have

¹⁵ complete due diligence file for ¹⁶ everybody, we do conduct reviews of ¹⁷ specific segments, like we run Virginia

¹⁸ customers, for example. We identify the 19 top purchasers in Virginia for specific

²⁰ products. It could be testosterone. It

²¹ could be hydrocodone. It could be

²² something else. But that's -- yeah,

²³ that's the type of product review that we

²⁴ do at this point.

Page 309

² his concern that the communication and

³ interface between the verifications

⁴ system and the regulatory affairs system

was problematic?

A. Not exactly. But I'm getting the feeling that this was when he was fairly new and didn't have a full understanding.

10 Q. Did you have a recollection 11 of Buzzeo or Cegedim actually expressing that one of its observations about Henry Schein was that there was no clear ¹⁴ delineation between the responsibilities of the verification department and the 16 regulatory affairs department, and that's something that needed to be addressed

based on Cegedim's review?

A. Vaguely.

19

20 Q. Do you know if this was ever addressed? Was the interface between verifications and regulatory affairs ²³ improved after 2013 in any meaningful way

²⁴ or memorialized in any SOP that was

Page 310

¹ developed?

- A. There are SOPs that talk ³ about the responsibilities for ⁴ verifications and responsibilities for ⁵ regulatory. And there have been some
- ⁶ communications as far as that.
- Q. Do you know when those 8 occurred?
- A. I think it has been an ¹⁰ ongoing process. It has been more than ¹¹ once.
- Q. Number 7 says, "DEA hot ¹³ button, current street trends and/or 14 known drug combinations of interest to ¹⁵ DEA. Self-explanatory, and using our top ¹⁶ dollar volume accounts, single audit ¹⁷ parameter is ridiculous. We need to be ¹⁸ able to drill down to the accounts that 19 have real potential to do damage to ²⁰ Schein."

Do you recall him expressing ²² this concern about this methodology?

- A. Not really.
 - The last one, "Medical

A. Well, the other -- the audit

² format has been revised a couple of

Page 312

Page 313

- ³ times. Again, I don't remember the
- ⁴ specific. But we do look for room for
- ⁵ improvement on our questionnaires or in
- ⁶ our audit formats and our audit
- ⁷ checklists for distribution centers or
- other facilities.
- Q. Do you know if you made any specific changes as a result of this particular observation or letter or e-mail from Ken Romeo?
- A. I cannot tell you specific ¹⁴ to this document, but I can tell you that working with Ken, we did get to some opportunities, and we worked on improvements to our process.
- Q. He writes -- he attaches his 19 letter, and on the bottom he asks very specific information.

And I'm assuming, when he 22 says Hi US, that this is his letter to 23 Shaun Abreu that he references, that

²⁴ says, "Along with the U, I'll need three

¹ other pieces of data: Total sales for

² each drug in the U, sales by dollar

Page 311

¹ scientific data known to DEA on global

² basis and areas of enforcement that have

- ³ never been looked at by Schein.
- ⁴ Self-explanatory."

Do you recall him making ⁶ that kind of observation about Henry ⁷ Schein's suspicious order monitoring 8 system?

- A. No, sir. I'm sorry.
- Q. So he goes on, on the last ¹¹ page, to say that he's done a revised ¹² audit format that he's proposing, and 13 he's attached the letter that he sent to ¹⁴ Shaun. And he says, "To be honest, guys, ¹⁵ I have no idea what the heck I'm going to ¹⁶ find. But it's better if I find it and ¹⁷ then discuss it with you so that changes ¹⁸ could be made to our SOM system in the ¹⁹ future rather than DEA showing up with
- ²¹ us." Do you recall him expressing ²³ a desire to institute a new audit format ²⁴ in 2013?

²⁰ five investigators trying to pop holes in

³ volume of controlled product for each

⁴ account, and sales as a percentage of ⁵ business with Schein. Ha-ha, I know you get the last two." Is that a metric or an algorithm that you regularly ran, those

total sales, sales by dollar volume, and percentage of business? 11

A. We have used the sales by dollar value and percentage of business. ¹³ We have used as sales by active ¹⁴ ingredient volume and percentage of total sales. These are tools that we have 16 used.

17 Q. As a result of this proposed ¹⁸ format, was a new audit ever done to your knowledge of Melville? Did he ever issue a report using his proposal?

21 A. He did do -- I think he did ²² an audit in -- of Melville. And then the ²³ subsequent year Tina did an audit of the program as well. And as well, as you

	D 011	_	D 016
	Page 314	,	Page 316
	know, we also hire outside consultants to	1 2	Q. Are you familiar with that?
	do an audit for our program as well.		A. I'm familiar with the
3	Q. Do you recall though a		document. This is our monthly report to
4	specific publication of of an addit		our management team.
5	performed by Ren Romeo.	5	Q. Okay. When did these
6	A. The report?	6	
7	Q. Yeah. For well, that he	7	A. In different formats, but I
8	was speaking of there, do you recall a	1	think they had been there since since
9	a report that issued, that he did he	1	I got supervisor position in regulatory.
10	do an addit of this own based on the	10	Q. Okay. So they go back to
	proposal he had made?	1	2003, '4, '5, '6?
12	71. Bo, year, for on any	12	A. 2002.
	internal audit that we do, we do issue a	13	Q. And you would have presented
	report.	14	tins to wir. I edecock of Dibeno.
15	Q. I'm asking whether you know	15	A. I would have sent it
16	that there was one done there.	16	again different formats.
17	A. Again, I'm trying to answer	17	Q. Right.
18	your question, but I think if you ask	18	A. I would have sent it to Mike
19	me	19	or Jeff, and then they will, you know,
20	Q. If you don't remember	20	summarize everybody's report and send it
21	A the specifics, I I	21	up the chain.
22	don't remember.	22	Q. Okay. Can I put that on the
23	Q. I only have this one sheet		screen just to and we can read it
24	of paper. I don't have copies of this.	24	together and
		-	
	Page 315		Page 317
1	_	1	
	Let me put it on the screen. I'll mark	1 2	Page 317 MR. McDONALD: You said you didn't need it.
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 here, it says, "Based on the decision, there is consensus that when a suspicious order monitoring system designed to evaluate orders based on frequency, volume or pattern flags an order, that order is suspicious and must be reported A. I remember reading the section. Q. Okay. Well, I'll help you. I'm not under oath so I get to mark one more document. A. Okay.
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 order monitoring system designed to evaluate orders based on frequency, volume or pattern flags an order, that order is suspicious and must be reported Q. Okay. Well, I'll help you. I'm not under oath so I get to mark one more document. A. Okay.
 4 evaluate orders based on frequency, 5 volume or pattern flags an order, that 6 order is suspicious and must be reported 4 I'm not under oath so I get to mark one 5 more document. 6 A. Okay.
 volume or pattern flags an order, that order is suspicious and must be reported more document. A. Okay.
⁶ order is suspicious and must be reported ⁶ A. Okay.
7 to the DFA " MR MIGLIORI: Exhibit 22
to the DEA. WIK. WHOLIOKI. EXHIBIT 22.
of the of the import of the Masters Henry Schein-Tejeda-22.) Henry Schein-Tejeda-22.) BY MR. MIGLIORI:
7. Tean, the masters decision Q. This one realigive you a
detains that.
Q. Okdy. What it claimed was
in fact, suspicious orders, correct.
relates to controlled substances, fight.
DI WIK. WIGHOKI.
A. Yeah, that was our read of 22 shall design and operate a system to
23 the of the oninion from the judge 23 displace to the registrent agencies
23 the of the opinion from the judge. 24 Q. So if, in fact, your system 23 disclose to the registrant suspicious 24 orders of controlled substances. The

	ignly confidential - Subject to		
	Page 322		Page 324
1	registrant shall inform the field	1	won't ask you what the DEA thinks or
2	division of the office of the	2	doesn't think. Okay?
3	administration in his area of suspicious	3	A. Well, some letter from the
4	orders when discovered bring the	4	DEA
	registrant.	5	Q. There's a process
6	"Suspicious orders include	6	MR. McDONALD: Hang on. Let
7	orders of unusual size, orders deviating	7	him talk.
8	substantially from a normal pattern, and	8	BY MR. MIGLIORI:
9	orders of unusual frequency."	9	Q. There's a process for us to
10	That's the definition in the	10	talk to the DEA. I'm talking to you.
11	C.F.R., correct?	11	This is my last moment to speak with you
12	A. Yes, sir.	12	· · · · · · · · · · · · · · · · · · ·
13	•		before we go to trial, if we go to trial. Okay?
	Q. All right. And Masters,	14	•
	while it says here it's a new	15	A. Okay.
	interpretation, Masters, as you report		Q. My question to you is very
	here, says that "based on the decision,	16	simple. This decision said that a system
	there is consensus that when a suspicious	17	that's designed to evaluate orders based
	order monitoring system designed to		on frequency, volume, or pattern that
	evaluate orders based on frequency,		flags an order for a deviation in those,
	volume or pattern flags an order that		is suspicious, right?
	is" "that order is suspicious and must	21	A. And that was in your
	be reported to the DEA."		interpretation.
23	That's no different from the	23	Q. And when you compare it to
24	language of the C.F.R., correct?	24	the actual language of the statute of the
	Dog 222		D 225
	Page 323		Page 325
1	MR. McDONALD: Object to the	1	C.F.R. like the judge did in the Masters
1 2	_		C.F.R. like the judge did in the Masters
	MR. McDONALD: Object to the	2	
2	MR. McDONALD: Object to the form. Surely you are not going to	3	C.F.R. like the judge did in the Masters case, you'll agree that the definition of the C.F.R., in the C.F.R., that you as
2 3	MR. McDONALD: Object to the form. Surely you are not going to argue with him about this at this	2 3 4	C.F.R. like the judge did in the Masters case, you'll agree that the definition of the C.F.R., in the C.F.R., that you as director of regulatory affairs are
2 3 4	MR. McDONALD: Object to the form. Surely you are not going to	2 3 4 5	C.F.R. like the judge did in the Masters case, you'll agree that the definition of the C.F.R., in the C.F.R., that you as director of regulatory affairs are responsible for at Henry Schein, you'll
2 3 4 5	MR. McDONALD: Object to the form. Surely you are not going to argue with him about this at this hour. MR. MIGLIORI: I'm not	2 3 4 5	C.F.R. like the judge did in the Masters case, you'll agree that the definition of the C.F.R., in the C.F.R., that you as director of regulatory affairs are responsible for at Henry Schein, you'll agree with me at least that the C.F.R.
2 3 4 5 6	MR. McDONALD: Object to the form. Surely you are not going to argue with him about this at this hour.	2 3 4 5	C.F.R. like the judge did in the Masters case, you'll agree that the definition of the C.F.R., in the C.F.R., that you as director of regulatory affairs are responsible for at Henry Schein, you'll agree with me at least that the C.F.R. defines a suspicious order as an order of
2 3 4 5 6 7	MR. McDONALD: Object to the form. Surely you are not going to argue with him about this at this hour. MR. MIGLIORI: I'm not arguing. Did I did I raise my	2 3 4 5 6 7	C.F.R. like the judge did in the Masters case, you'll agree that the definition of the C.F.R., in the C.F.R., that you as director of regulatory affairs are responsible for at Henry Schein, you'll agree with me at least that the C.F.R.
2 3 4 5 6 7 8	MR. McDONALD: Object to the form. Surely you are not going to argue with him about this at this hour. MR. MIGLIORI: I'm not arguing. Did I did I raise my voice? MR. McDONALD: Yeah. Come	2 3 4 5 6 7 8	C.F.R. like the judge did in the Masters case, you'll agree that the definition of the C.F.R., in the C.F.R., that you as director of regulatory affairs are responsible for at Henry Schein, you'll agree with me at least that the C.F.R. defines a suspicious order as an order of unusual size, deviating substantially from normal pattern and unusual
2 3 4 5 6 7 8	MR. McDONALD: Object to the form. Surely you are not going to argue with him about this at this hour. MR. MIGLIORI: I'm not arguing. Did I did I raise my voice?	2 3 4 5 6 7 8 9	C.F.R. like the judge did in the Masters case, you'll agree that the definition of the C.F.R., in the C.F.R., that you as director of regulatory affairs are responsible for at Henry Schein, you'll agree with me at least that the C.F.R. defines a suspicious order as an order of unusual size, deviating substantially
2 3 4 5 6 7 8 9	MR. McDONALD: Object to the form. Surely you are not going to argue with him about this at this hour. MR. MIGLIORI: I'm not arguing. Did I did I raise my voice? MR. McDONALD: Yeah. Come on, Don, ask your question. MR. MIGLIORI: I did.	2 3 4 5 6 7 8 9	C.F.R. like the judge did in the Masters case, you'll agree that the definition of the C.F.R., in the C.F.R., that you as director of regulatory affairs are responsible for at Henry Schein, you'll agree with me at least that the C.F.R. defines a suspicious order as an order of unusual size, deviating substantially from normal pattern and unusual frequency. That's what the C.F.R. says, right?
2 3 4 5 6 7 8 9 10	MR. McDONALD: Object to the form. Surely you are not going to argue with him about this at this hour. MR. MIGLIORI: I'm not arguing. Did I did I raise my voice? MR. McDONALD: Yeah. Come on, Don, ask your question.	2 3 4 5 6 7 8 9 10	C.F.R. like the judge did in the Masters case, you'll agree that the definition of the C.F.R., in the C.F.R., that you as director of regulatory affairs are responsible for at Henry Schein, you'll agree with me at least that the C.F.R. defines a suspicious order as an order of unusual size, deviating substantially from normal pattern and unusual frequency. That's what the C.F.R. says,
2 3 4 5 6 7 8 9 10 11	MR. McDONALD: Object to the form. Surely you are not going to argue with him about this at this hour. MR. MIGLIORI: I'm not arguing. Did I did I raise my voice? MR. McDONALD: Yeah. Come on, Don, ask your question. MR. MIGLIORI: I did. MR. McDONALD: Object to the	2 3 4 5 6 7 8 9 10 11 12	C.F.R. like the judge did in the Masters case, you'll agree that the definition of the C.F.R., in the C.F.R., that you as director of regulatory affairs are responsible for at Henry Schein, you'll agree with me at least that the C.F.R. defines a suspicious order as an order of unusual size, deviating substantially from normal pattern and unusual frequency. That's what the C.F.R. says, right? MR. McDONALD: Object to the
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR. McDONALD: Object to the form. Surely you are not going to argue with him about this at this hour. MR. MIGLIORI: I'm not arguing. Did I did I raise my voice? MR. McDONALD: Yeah. Come on, Don, ask your question. MR. MIGLIORI: I did. MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Thank you. Now, you can answer it. That's the same language A. It is it is in your interpretation. It is a new document	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	C.F.R. like the judge did in the Masters case, you'll agree that the definition of the C.F.R., in the C.F.R., that you as director of regulatory affairs are responsible for at Henry Schein, you'll agree with me at least that the C.F.R. defines a suspicious order as an order of unusual size, deviating substantially from normal pattern and unusual frequency. That's what the C.F.R. says, right? MR. McDONALD: Object to the form. THE WITNESS: It defines what the suspicious order is; however, it doesn't define when you need to report it. BY MR. MIGLIORI:
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR. McDONALD: Object to the form. Surely you are not going to argue with him about this at this hour. MR. MIGLIORI: I'm not arguing. Did I did I raise my voice? MR. McDONALD: Yeah. Come on, Don, ask your question. MR. MIGLIORI: I did. MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Thank you. Now, you can answer it. That's the same language A. It is it is in your interpretation. It is a new document clarifying what the judge interpreted as what the regulation was saying. Up to this point, even the DEA accepted that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	C.F.R. like the judge did in the Masters case, you'll agree that the definition of the C.F.R., in the C.F.R., that you as director of regulatory affairs are responsible for at Henry Schein, you'll agree with me at least that the C.F.R. defines a suspicious order as an order of unusual size, deviating substantially from normal pattern and unusual frequency. That's what the C.F.R. says, right? MR. McDONALD: Object to the form. THE WITNESS: It defines what the suspicious order is; however, it doesn't define when you need to report it. BY MR. MIGLIORI: Q. Okay. It does say, "when discovered by the registrant" in the C.F.R., correct?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR. McDONALD: Object to the form. Surely you are not going to argue with him about this at this hour. MR. MIGLIORI: I'm not arguing. Did I did I raise my voice? MR. McDONALD: Yeah. Come on, Don, ask your question. MR. MIGLIORI: I did. MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Thank you. Now, you can answer it. That's the same language A. It is it is in your interpretation. It is a new document clarifying what the judge interpreted as what the regulation was saying. Up to this point, even the DEA accepted that what we were doing was compliant.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	C.F.R. like the judge did in the Masters case, you'll agree that the definition of the C.F.R., in the C.F.R., that you as director of regulatory affairs are responsible for at Henry Schein, you'll agree with me at least that the C.F.R. defines a suspicious order as an order of unusual size, deviating substantially from normal pattern and unusual frequency. That's what the C.F.R. says, right? MR. McDONALD: Object to the form. THE WITNESS: It defines what the suspicious order is; however, it doesn't define when you need to report it. BY MR. MIGLIORI: Q. Okay. It does say, "when discovered by the registrant" in the C.F.R., correct? A. And we were doing that.
2 3 4 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR. McDONALD: Object to the form. Surely you are not going to argue with him about this at this hour. MR. MIGLIORI: I'm not arguing. Did I did I raise my voice? MR. McDONALD: Yeah. Come on, Don, ask your question. MR. MIGLIORI: I did. MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Thank you. Now, you can answer it. That's the same language A. It is it is in your interpretation. It is a new document clarifying what the judge interpreted as what the regulation was saying. Up to this point, even the DEA accepted that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	C.F.R. like the judge did in the Masters case, you'll agree that the definition of the C.F.R., in the C.F.R., that you as director of regulatory affairs are responsible for at Henry Schein, you'll agree with me at least that the C.F.R. defines a suspicious order as an order of unusual size, deviating substantially from normal pattern and unusual frequency. That's what the C.F.R. says, right? MR. McDONALD: Object to the form. THE WITNESS: It defines what the suspicious order is; however, it doesn't define when you need to report it. BY MR. MIGLIORI: Q. Okay. It does say, "when discovered by the registrant" in the C.F.R., correct?

Page 326 Page 328 ¹ and it does define what is a suspicious ¹ at -- at Henry Schein, that when ² discovered, a suspicious order needs to ² order in the C.F.R. That's your ³ be reported to the field office of the ³ understanding as director of regulatory ⁴ affairs at Henry Schein, correct? ⁴ DEA. There's no confusion about that, 5 MR. McDONALD: Object to the ⁵ correct? 6 form. MR. McDONALD: Object to 7 THE WITNESS: And I'm also form. 8 8 telling you that based on THE WITNESS: Correct, and 9 consultant opinions, based on we were doing that. 10 discussions with DEA, they told us BY MR. MIGLIORI: 11 that what we were doing, the 11 Q. Okay. The C.F.R. also says 12 practice that we were doing was that a suspicious order includes orders 13 accepted according to the of unusual size, deviating substantially 14 from a normal pattern, and orders of 14 interpretation at the time. There 15 unusual frequency. That's in the C.F.R. were even conferences that we 16 going back to 1971, correct? attended that the DEA, maybe not 17 17 A. I don't know the date, the person that you are talking 18 with, had said that there were two 18 but --19 19 accepted different methods to Q. It's right here --20 20 report controlled substance. A. -- it is in the C.F.R. 21 21 And even in this last Q. Okay. And that's always 22 conference, not to -- not a month ²² been the governing provision in the 23 C.F.R. as long as you've been at Henry ago, the DEA actually came out and 24 said that they don't want to see ²⁴ Schein, correct? Page 327 Page 329 1 all these letters spit out from A. Correct. 2 our computer systems, but they Q. All right. And in the 3 want to learn when we actually ³ Masters decision, the court concluded 4 have deemed the order to be ⁴ that a system that's designed to flag 5 suspicious. ⁵ based on volume, frequency or pattern, 6 ⁶ when it flags an order, that is when the MR. MIGLIORI: I'm going to 7 move to strike. Way beyond my ⁷ order is deemed suspicious, and ⁸ therefore, under the C.F.R., it must be 8 question. 9 BY MR. MIGLIORI: reported then, when discovered, to the 10 Q. My question is very simple, ¹⁰ DEA, correct? That's holding of the case and I promise when we're done with this, as you understood it and reported to your ¹² we're done. boss in 2017, correct? 13 13 A. Which wasn't clear until A. Okay. The C.F.R. has in it a clear 14 that time. statement of when a suspicious order Q. Okay. But it's clear now. needs to be reported, correct? As you -- at the time that you wrote this 17 MR. McDONALD: Object to the presentation, you understood that to be 18 what was required, correct? form. 19 19 THE WITNESS: When MR. McDONALD: Object to the 20 20 discovered. form. 21 21 BY MR. MIGLIORI: THE WITNESS: We understood 22 22 Q. Correct. So when a that that was the required coming 23 suspicious order is discovered, it's your from the Masters decision, and we 24 understanding as director of regulatory were moving to implement it.

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	Page 330		Page 332
1	BY MR. MIGLIORI:	1	review it. If deemed suspicious, we
2	Q. All right. And prior to the	2	would report it immediately.
3	Masters decision, that is not what Henry	3	Q. And the Masters
4	Schein was doing, correct? That is,	4	Pharmaceutical was doing the same thing,
5	prior to the Masters decision, prior to	5	and as a result of this decision, lost
6	June 30th of 2017, Henry Schein was not	6	its license to distribute controlled
7	reporting any flagged order that had a	7	substances, correct?
8	deviation of size, frequency, or pattern	8	MR. McDONALD: Object to the
9	in the Henry Schein suspicious order	9	form.
10	monitoring program, they were not	10	I don't think he can answer
11	reporting it to the DEA's field office,	11	that question.
12	correct?	12	BY MR. MIGLIORI:
13	MR. McDONALD: Object to the	13	Q. Do you know?
14	form.	14	MR. McDONALD: If you know,
15	THE WITNESS: Prior to	15	tell him.
16	Masters decision, we were	16	MR. MIGLIORI: He wrote this
17	complying with the regulation	17	page here.
18	with the regulation by notifying	18	THE WITNESS: I don't know
19	the DEA, by reporting to the DEA,	19	what Masters was doing.
20	orders that were deemed	20	BY MR. MIGLIORI:
21	suspicious, which were an accepted	21	Q. And you know that the
22	practice.	22	Rannazzisi letters that we talked about
23	BY MR. MIGLIORI:	23	earlier specifically said that you cannot
24	Q. Not my question. My	24	rely upon any statements of the DEA as a
	Page 331		Page 333
1	Page 331	1	Page 333
	question to you is, prior to the Masters	1	basis for compliance with the
1 2 3	question to you is, prior to the Masters decision in June of 2017, Henry Schein	1	basis for compliance with the requirements of the C.F.R., correct?
3	question to you is, prior to the Masters decision in June of 2017, Henry Schein did not deem an order that was a	2	basis for compliance with the requirements of the C.F.R., correct? MR. McDONALD: Object to the
3	question to you is, prior to the Masters decision in June of 2017, Henry Schein did not deem an order that was a deviation in frequency, volume, or	3 4	basis for compliance with the requirements of the C.F.R., correct? MR. McDONALD: Object to the form.
3	question to you is, prior to the Masters decision in June of 2017, Henry Schein did not deem an order that was a deviation in frequency, volume, or pattern a suspicious order and report it	3 4	basis for compliance with the requirements of the C.F.R., correct? MR. McDONALD: Object to the form. BY MR. MIGLIORI:
2 3 4 5	question to you is, prior to the Masters decision in June of 2017, Henry Schein did not deem an order that was a deviation in frequency, volume, or pattern a suspicious order and report it to the DEA when discovered, correct?	2 3 4 5	basis for compliance with the requirements of the C.F.R., correct? MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Were you aware of that?
2 3 4 5 6	question to you is, prior to the Masters decision in June of 2017, Henry Schein did not deem an order that was a deviation in frequency, volume, or pattern a suspicious order and report it to the DEA when discovered, correct? MR. McDONALD: Object to the	2 3 4 5 6	basis for compliance with the requirements of the C.F.R., correct? MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Were you aware of that? MR. McDONALD: Object to the
2 3 4 5 6 7	question to you is, prior to the Masters decision in June of 2017, Henry Schein did not deem an order that was a deviation in frequency, volume, or pattern a suspicious order and report it to the DEA when discovered, correct? MR. McDONALD: Object to the form.	2 3 4 5 6 7	basis for compliance with the requirements of the C.F.R., correct? MR. McDONALD: Object to the form. BY MR. MIGLIORI: Q. Were you aware of that? MR. McDONALD: Object to the form.
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	D 224		D 224
	Page 334		Page 336
1	Q. You understood back in 2007	1	this letter is to reiterate the
2	that it was not appropriate at Henry		responsibilities of controlled substance
3	Schein to rely on a DEA statement that	1	manufacturers and distributors to inform
	you were in compliance or not in	1	DEA of suspicious orders in accordance
	compliance with the DEA's obligations		with 21 C.F.R. 1301.74(b). We just
	under the Controlled Substances Act,		looked at that.
7	correct, you understood that, didn't you?	7	It says, "In addition to,
8	MR. McDONALD: Object to the	8	and not in lieu of, the general
9	form.	9	requirement under 21 U.S.C. 823, that
10	THE WITNESS: I don't know	10	manufacturers should maintain effective
11	how to answer that question. If	11	controls" and it goes through the
12	we weren't able to go to the DEA		design and operations further.
13	to look for guidance and interpret	13	Do you see that?
14	what and take what they told us	14	A. Give me a minute to read it.
15	as guidance, then	15	Okay.
16	BY MR. MIGLIORI:	16	Q. The regulation clearly
17	Q. Do you recall the letters?	17	indicates that it is the sole
18	A. I do recall	18	responsibility of the registrant to
19	Q. Do you	19	design and operate such a system.
20	A a letter from 2006 and a	20	Accordingly, DEA does not approve or
21	letter from 2007.	21	otherwise endorse any specific system for
22	Q. And do you recall the	22	reporting suspicious orders.
23	statement in the letters about whether or	23	Do you recall that
24	not the it's it's considered	24	statement?
	Page 335		Page 337
1	Page 335	1	Page 337
	compliant for you to rely on a statement	1 2	A. Yes.
2	compliant for you to rely on a statement made by a DEA person about whether your		A. Yes.Q. And is that was that
2	compliant for you to rely on a statement made by a DEA person about whether your system was appropriate?	2	A. Yes. Q. And is that was that understood by Henry Schein in December of
3	compliant for you to rely on a statement made by a DEA person about whether your system was appropriate? MR. McDONALD: Object to the	2	A. Yes. Q. And is that was that understood by Henry Schein in December of 2007?
3 4	compliant for you to rely on a statement made by a DEA person about whether your system was appropriate? MR. McDONALD: Object to the form.	2 3 4	A. Yes. Q. And is that was that understood by Henry Schein in December of 2007? MR. McDONALD: Object to the
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	compliant for you to rely on a statement made by a DEA person about whether your system was appropriate? MR. McDONALD: Object to the form. THE WITNESS: I don't recall the specific language in the letters. (Document marked for identification as Exhibit Henry Schein-Tejeda-23.) BY MR. MIGLIORI: Q. Here is the December 27, 2007 letter. You were in regulatory at this date, correct? A. Yes, sir, I was. Q. This is Henry Schein's version of this letter. And it's Exhibit Number 23. Henry Schein. This letter is being sent to every entity in the United States	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. Q. And is that was that understood by Henry Schein in December of 2007? MR. McDONALD: Object to the form. THE WITNESS: Yeah, that was understood and it was also kind of confusing why they needed to clarify that. BY MR. MIGLIORI: Q. Because well, we can ask them why they believe they needed to do it. My question to you is simply, you as a person at this point in regulatory affairs, in a a supervising person in regulatory affairs, you understood, at Henry Schein, that the DEA did not and could not approve or otherwise endorse your system for

	ignly confidential - Subject to	J 1	
	Page 338		Page 340
1	conversations with consultants and DEA	1	was missing.
2	and we came to that conclusion. They	2	Q. Well, of interest to me were
3	didn't want to provide guidance on what	3	the years where the Buzzeo suspicious
4	can be acceptable.	4	order monitoring program was being
5	Q. And you appreciated that as	5	implemented developed and implemented,
6	of December 2007?	6	and those are the years that are not
7	A. After we have those those	7	here. And so, I'm not suggesting
8	conversations, a little bit after 2000		anything nefarious, I was just curious if
9	December 2007.		I just missed it because I only got it
10	Q. And as was written directly		literally 24 hours ago.
11	to you by Joseph Rannazzisi, the deputy	11	Did you see performance
	assistant administrator of the office of	12	appraisal reports for those years?
	diversion control at DEA, you received	13	A. Absolutely, yes.
	this document in 2000	14	Q. All right. So they exist
15	A. I didn't personally. It was	15	somewhere?
16	sent to one of our distribution centers.	16	A. Yes.
17	Q. And you were aware of this?	17	Q. All right. Well, we'll
18	A. I received a copy	18	-
19	afterwards.	19	MR. McDONALD: Well, hang
20	Q. Sometime in this time?	20	on.
21	A. Sometime around that.	21	MR. MIGLIORI: we'll look
22	MR. MIGLIORI: Okay. All	22	for them and see if I missed them.
23	right. That's all I have. Thank	23	I didn't see them.
24	you very much for your time.	24	MR. McDONALD: I I don't
	you very much for your time.		MIK. MCDONALD. 1 1 doilt
	Page 339		Page 341
1	Actually, wait. This is	1	think he's saying that he saw them
2	Actually, wait. This is just housekeeping.	2	think he's saying that he saw them in preparation for the deposition.
2 3	Actually, wait. This is just housekeeping. THE WITNESS: Okay.	2	think he's saying that he saw them in preparation for the deposition. He's seen them at some point in
2 3	Actually, wait. This is just housekeeping. THE WITNESS: Okay. BY MR. MIGLIORI:	2 3 4	think he's saying that he saw them in preparation for the deposition. He's seen them at some point in life.
2 3 4 5	Actually, wait. This is just housekeeping. THE WITNESS: Okay. BY MR. MIGLIORI: Q. I received a personnel file	2 3 4 5	think he's saying that he saw them in preparation for the deposition. He's seen them at some point in life. BY MR. MIGLIORI:
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	Page 342		Page 344
	weeks?	1 2	CERTIFICATE
2	A. Yeah. I saw the some of	3	CERTIFICATE
3	the performance evaluations.	4	
4	Q. Okay.	5	I HEREBY CERTIFY that the
5	MR. MIGLIORI: Well, we'll	6	witness was duly sworn by me and that the deposition is a true record of the
6	continue to look. I I doubt		testimony given by the witness.
7	it's going to raise any issue that	7	
8	I'll need to follow up on. But I	l g	It was requested before
9	just wanted it to be clear or see		completion of the deposition that the witness, SERGIO TEJEDA, have the
10	if you had an explanation to why	9	opportunity to read and sign the
11	there would be a gap of five years	10	deposition transcript.
12	in your in your record.	11	
13	THE WITNESS: No. No, I'm	12	
14	sorry. Actually I am sure it was	1 2	MICHELLE L. GRAY,
15	a good review, because that's when	13	A Registered Professional
16	I was promoted.	14	Reporter, Certified Shorthand Reporter, Certified Realtime
17	MR. MIGLIORI: All of your		Reporter and Notary Public
18	reviews are are very good. And	15 16	Dated: April 5, 2019
19	I was just curious.	17	
20	That's all I have. I	18	(The foregoing certification
21	appreciate your time.	19	of this transcript does not apply to any
22	·	20 21	reproduction of the same by any means, unless under the direct control and/or
23	THE WITNESS: All right,	22	supervision of the certifying reporter.)
24	sir. Thank you. I appreciate it.	23	supervision of the certarying reporter.
24	THE VIDEOGRAPHER: This ends	24	
	Page 343		Page 345
1	today's deposition. We're going	1	INSTRUCTIONS TO WITNESS
2	off the record at 3:48 p.m.	2	
3	(Excused.)	3	Please read your deposition
4	(Deposition concluded at	4	over carefully and make any necessary
5	approximately 3:51 p.m.)	5	corrections. You should state the reason
6	approximately over plans,		in the appropriate space on the errata
7		7	sheet for any corrections that are made.
8		8	After doing so, please sign
9		9	the errata sheet and date it.
10		10	You are signing same subject
11			to the changes you have noted on the
12		12	errata sheet, which will be attached to
13		13	your deposition.
14		14	v 1
15			It is imperative that you
16		15	return the original errata sheet to the
		16	deposing attorney within thirty (30) days
17		17	of receipt of the deposition transcript
10		18	by you. If you fail to do so, the
18		1 I Q	deposition transcript may be deemed to be
19		19	- · · · · · · · · · · · · · · · · · · ·
19 20		20	accurate and may be used in court.
19 20 21		20 21	- · · · · · · · · · · · · · · · · · · ·
19 20 21 22		20 21 22	- · · · · · · · · · · · · · · · · · · ·
19 20 21		20 21	- · · · · · · · · · · · · · · · · · · ·

Page 346	Page 348
1	1 LAWYER'S NOTES
ERRATA	² PAGE LINE
2	2
3	<u> </u>
⁴ PAGE LINE CHANGE	
5	5
	6
6 REASON:	7
7	8
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14 REASON:	14
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19	19
²⁰ REASON:	20
21	21
22 REASON:	22
22	23
24 REASON:	24
REASON:	
Page 347	
1	
² ACKNOWLEDGMENT OF DEPONENT	
3	
4 I,, do	
5 hereby certify that I have read the	
6 foregoing pages, 1 - 348, and that the	
7 same is a correct transcription of the	
8 answers given by me to the questions	
9 therein propounded, except for the	
10 corrections or changes in form or 11 substance, if any, noted in the attached	
parameter, if any, notes in the accounts	
Errata Sheet.	
13	
14	
15	
16 SERGIO TEJEDA DATE	
17	
18	
¹⁹ Subscribed and sworn	
to before me this	
²⁰ , 20	
²¹ My commission expires:	
22	
Notary Public	
24	
I	